



THE
CANADIAN
LAW LIST
(HARDY'S)

1901



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TORONTO

A NEW CENTURY

dawns upon us and the old century closes behind us with all its lessons and experiences which should be of great value in enabling us to make the most of our improved circumstances and greater opportunities, for the past century has been one of marvellous achievements. In nothing has greater progress been made in all civilized countries than in life insurance. One of the most important lessons learned with regard to this most beneficent of all human institutions has been how great a difference there is between the ratio of mortality experienced amongst a large number of selected lives of total abstainers and a similar class of selected lives of non-abstainers. The Temperance and General Life Assurance Company has classified its risks strictly according to their habits ever since it started business in 1886, and its experience warrants it in offering to total abstainers in Canada the benefits of life insurance at a lower

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NEW BRUNSWICK	Hon. Ezekiel McLeod, J.S.C. Saint John.	M. McDonald St. John.		R. O. Stockton, St. John, N. B.		T. C. Humbert, St. John.
PRINCE EDWARD IS- LAND	Hon. W. W. Sullivan, C.J., S.C. Charlotte- town.			J. A. Longworth, Charlottetown.		G. W. Hyndman, Charlottetown.
BRITISH COLUMBIA	Hon. A. J. McCall, C.J., S.C., Victoria.	Judge Martin Victoria.		B. H. T. Drake, Victoria.	A. E. Beck, Vancouver.	J. E. McMillan, Victoria.
TERRITORIAL COURT IN AND FOR THE YUKON TERRITORY.	Jas. Craig, Dawson			Chas. Macdonald, Dawson.		

Commissioners for taking Affidavits.

Commissioners for taking Affidavits for use in the Supreme and Exchequer Courts of Canada.

Boston, U.S.A.—W. Warren.

Calgary, N.W.T.—E. R. Rogers.

Charlottetown, P.E.I.—J. A. Longworth.

Halifax, N.S.—L. W. Des Barres.

Liverpool, Eng.—F. J. Leslie.

London, Eng.—P. Birkett, S. V. Blake, E. F. Day, G. M. Hill, C. Russell, T. Cato Warsfield, Robert H. Tetley.

Melbourne, Australia.—F. E. Grant, H. F. A. Gourlay, R. T. Litton.

Montreal, Que.—L. H. Collard.

New Westminster, B.C.—John Jas. Cambridge.

Ottawa, Ont.—L. A. Audette, Chas. Morse, H. H. Bligh, Q.C.

Paris, France.—Thomas G. Barclay.

Quebec, Que.—J. A. Charlebois, J. Dunbar.

Regina, N.W.T.—D. Watson.

St. John, N.B.—R. O. Stockton.

Sydney, Nova Scotia.—W. E. Peters.

Sydney, New South Wales.—F. Osborne

Toronto, Ont.—John Bruce.

Vancouver, B.C.—C. G. Johnson.

Victoria, B.C.—J. C. Prevost.

Victoria, Australia.—J. Fitzgerald.

Westminster, Eng.—J. Proffitt.

Winnipeg, Man.—G. H. Y. Walker.

Commissioners outside the Dominion for taking Affidavits to be used in Provinces of Canada.

AUSTRALIA

Sydney, N.S.W. Frank Osborne, for **Ontario**.

Tasmania, Charles W. Butler, Hobart for **Ontario** and **Quebec**.

ENGLAND

LONDON

Blake, S. V., 17 Victoria st., S. W., Ont., Que., Nova Scotia, New Brunswick, Manitoba and N. W. T.

J. G. Colmer, 17 Victoria St., Yukon Territory.

R. G. Pollock, 42 Bishopsgate st., within.

E. H. Wainwright, 42 Bishopsgate st., within.

FRANCE

Paris, Thomas G. Barclay

IRELAND

Dublin, Alex. Bell, for **Ont.**

SCOTLAND

Edinburgh, A. P. Purvis, for **Ontario**.

UNITED STATES

Bay City, Mich., Graham
W. Wilson, for **Ont.**
Boston Mass., Edward J.
Jones, for **Ontario.**
Buffalo, N.Y., A. C. Good,
for **Ontario.**
Burlington, Vt., Elijah E.
Knott, for **Quebec.**
Chicago, Ill., S. W. King,
for **Ontario.**
Detroit Mich., T. Hislop,
for **Ontario.**
Grand Rapids, Mich., E.
Scratcherd, for **Ontario.**
Kansas City, Mo., Crowin
V. Howell, for **Ont.**
Los Angeles, Cal., Geo. I.
Cochran, for **Ontario.**
Louisville, Kentucky, Jos.
M. Chatterson, for **Ont.**
Minneapolis, H. Baxter,
for **Ontario.**
New York, Wm. T. Harden-
brook, for **Ontario.**
Philadelphia, Penn., Thos.
J. Hunt, for **Ontario.**
Pittsburg, H. Buchanan,
for **Ontario.**
Rochester, N.Y., Geo. May
Elwood, for **Ontario.**
San Francisco, S. H. Ped-
dar, for **Ontario.**
Spokane, Washington
Stuart Armour, for
Ontario and British
Columbia.
Watertown, Dakota, Alex.
T. Harvey, for **Ont.**

*Commissioners in Ontario for
taking Affidavits to be used
in—*

AUSTRALIA

Toronto, E. B. Ryckman,
Victoria Colony

BRITISH COLUMBIA

Hamilton, James Chisholm

MANITOBA

Alexandria, E. H. Tiffany
Brantford, W. C. Livingston
Hamilton, W. A. Logie
Toronto, G. G. Mills, and
Amilins Irving, Q.C.

NEW BRUNSWICK

Brantford, A. J. Wilkes, Q.C.
Toronto, F. A. Anglin
Ottawa, H. H. Bligh, Q.C.

NEWFOUNDLAND

Teronto, Albert Ogden

N. W. TERRITORIES

Toronto, Alex. Downey
Windsor, J. F. C. Haldane.

NOVA SCOTIA

Toronto, W. C. McCarthy

QUEBEC

Alexandria, E. H. Tiffany
Belleville, J. Parker Thomas
Brockville, W. J. Wright
Hamilton, W. F. Burton,
H. Carscallen, Q.C.
Ottawa, F. H. Chrysler, Q.C.,
M. J. Gorman
J. Travers Lewis, D.C.L.
N. A. Belcourt, Q.C.
Toronto, Alex. Downey, Al-
fred Hoskin, Q.C., C. J.
Holman, W. J. Tre-
mear

UNITED STATES

Illinois, A. Downey, Toronto
Indiana, Geo. Angus, To-
ronto.
Massachusetts, A. Downey,
Toronto.
Minnesota, Geo. Angus,
Toronto
New York, Alex. Downey,
Toronto, Commissioner
for State of New York,
also Commissioner of
Deeds.
F. J. French, Q.C.,
Prescott, Commissioner
for State of New York.

E. H. Smythe, Q.C.,
Kingston, Commissioners
of Deeds for State
of New York.
W. J. Wright, Brockville,
Ohio, Geo. Angus, Toronto
Rhode Island, A. Downey,
Toronto.

*Commissioners in other Pro-
vinces for taking Affidavits
to be used in Ontario.*

BRITISH COLUMBIA

Revelstoke, Thomas A. W.
Gordon

MANITOBA

Alcester, F. W. Bleakley
Belmont, Walter Oxford
Killarney, Henry A. Willis
Mellford, Frank Burnett
Oak Lake, W. J. Manbey
Stockton, Jas. M. Sturgeon
Winnipeg, F. W. Hevbach
A. E. Richards

NEW BRUNSWICK

St. John, Edmund G. Kaye,
Alex. P. Barnhill
Robert G. Murray

N. W. TERRITORIES

Battleford, W. J. Scott
Brandon, Arthur L. Sifton
Calgary, E. A. Baines
Edmonton, H. Bleeker
Lethbridge, A. Moffatt, Jr.
Moosomin, Joseph Daniel
Oak Lake (Man.), W. J.
Manbey
Pilot Mound, W. Robertson
Portage la Prairie, John
Boulbee
Regina, A. G. M. Spragge,
P. McG. Barker
Saskatoon, Thos. Copland

NOVA SCOTIA

Halifax, T. Ritchie,
Yarmouth, E. N. Clements

QUEBEC

Montreal, A. W. Atwater,
Peers Davidson, R. D.
McGibbon, Q.C., C. B.
Carter, Wm. J. White,
M. Hutchison, S. W.
Jacobs.

Quebec, Arthur Browning,
Robt. B. Hutcheson,
Wm. H. Barrows

*Commissioners in New Brun-
swick for taking Affidavits
to be used outside the Pro-
vince.*

NOVA SCOTIA — E. G.
Kaye, John Kerr, St. John,
N.B.

ONTARIO — E. G. Kaye, St.
John, N. B.

QUEBEC — John Kerr, St.
John, N. B.

UNITED STATES

CONNECTICUT — John Kerr
St. John, N. B.

MAINE — John Kerr, St.
John, N. B.

MASSACHUSETTS — John
Kerr and R. F. Quigley,
St. John, N. B.

NEW HAMPSHIRE — John
Kerr, St. John, N. B.

VERMONT — John Kerr, St.
John, N. B.

*Commissioners residing in the
Province of Nova Scotia to
do Acts within the Province.*

FOR NEW BRUNSWICK — J.
M. Chisholm, James Jack,
Halifax; Chas. R. Smith,
Amherst.

FOR NEWFOUNDLAND — J.
Parsons, J. M. Chisholm,
Halifax

FOR ONTARIO — Thomas
Ritchie, Halifax; E. N.
Clements, Yarmouth

FOR P. E. ISLAND—Jas. Jack, Halifax

FOR QUEBEC—Thos. Ritchie, Jas. Jack, Halifax

FOR THE STATE OF MASSACHUSETTS—Byron A. Weston, Halifax

Commissioners in Province of Quebec for taking Affidavits to be used outside the Province.

BRITISH COLUMBIA—F. S. Lyman, Q.C., Peers Davidson, R. D. McGibbon, Q.C., W. J. White, Montreal

MANITOBA—Robert D. McGibbon, Q.C., C. B. Carter, Q.C., F. S. Lyman, Q.C., Peers Davidson, J. M. M. Duff, W. J. White, Montreal

NEW BRUNSWICK—O'Hara Baynes, F. S. Lyman, Q.C., Peers Davidson, J. M. M. Duff, W. J. White, Montreal

NEWFOUNDLAND — Peers Davidson, F. J. Cuffin, S. W. Jacobs, W. J. White, Montreal

NOVA SCOTIA—F. S. Lyman, Q.C., Peers Davidson, W. J. White, S. W. Jacobs, Montreal

ONTARIO—A. W. Atwater, Robert D. McGibbon, Q.C., William F. Lighthall, W. J. White, John W. Blair, F. J. Lavery, P. C. Ryan, V. E. Mitchell, B. Sheperd, J. M. M. Duff, D. MacMaster, J. W. Macdougall, W. E. Bradshaw, S. W. Jacobs, Montreal

PRINCE EDWARD ISLAND—W. S. Walker, Montreal

NORTH-WEST TERRITORIES—W. F. Robinson, Montreal

UNITED STATES

ILLINOIS, MAINE, MASSACHUSETTS, MINNESOTA, NEW HAMPSHIRE, NEW YORK, VERMONT, J. M. M. Duff, Montreal

Commissioners in the Supreme Court of Newfoundland for issuing Mesne and Final Process and for taking Affidavits.

St. John's—Alex. J. W. McNeily, Q.C., Geo. J. Adams, J.P., Wm. J. Carroll

Commissioners of the Supreme Court of Newfoundland for issuing Mesne Process only and for taking Affidavits.

Bay of Islands, Geo. Lilly, Lawrence Byron Bonavista, T. W. Stabb Brigus, Jabez P. Thompson, J.P.

Burgeo, J. Cunningham Carbonear, J. Hippsley Ferryland, John Ryan Grand Bank, Edw. Evans Harbor Briton, P. Hubert Harbor Grace, W. J. Lynch Lamaline, James Pitman Port-de-Grave, George S. Andrews

Port-au-Port, M. Haynes St. Mary's, W. J. Hogan. Tower Island Cove, Eli Garland Trinity, G. H. Cole, Edw. Doyle Twillingate, F. Bertram, A. Pearce

Commissioners outside of Newfoundland for taking Affidavits to be used in the Supreme Court of Newfoundland.

DOMINION OF CANADA

Charlottetown, P. E. I., Francis L. Hassard.

Fredericton, N. B., Edw.
B. Winslow, Barrister

Halifax, N.S., Jonathan
Parsons, Barrister

Montreal, P.Q., Wm. Mor-
ris; Duncan L. Mc-
Dougall.

Quebec, Jas. Dunbar, Wm.
C. Gibsons, Peers
Davidson

St. John, N.B., A. W. Mac-
Rae

Sydney, Cape Breton, Alex.
J. G. McEehren.

Toronto, Ont., Albert Ogden

ENGLAND

Birmingham, Hume C. Pa-
scent, Fred. Swinson

Bristol, T. Parr, Solicitor

Liverpool, Thomas R. Pen-
nington, Solicitor

Manchester, Wm. H. Hil-
ton

Plymouth, Coryndon Mat-
thews, Solicitor

Southampton, R. R. Lin-
thorn, Solicitor

Towcester, Northampton, G.
L. Percival, Solicitor

IRELAND

Dublin, Francis J. Little,
Solicitor

Waterford, Patrick Kent,
Solicitor

SCOTLAND

Edinburgh, Wm. A. Mc-
Lauren, Solicitor; Arthur
Leahy, Solicitor

UNITED STATES OF AMERICA

Boston, Mass., Charles H.
Adams, 3 Court st.; A.
D. Foster, Charles A.
Shaw

New York City, Joseph B.
Braham, Wm. E. Rich-
ards.

Philadelphia, Pa., Thos. J.
Hunt, Counsellor-at-law.

Commissioners to Administer Oaths to Public Officers.

Alfred de Beaumont, Louis
Wilfrid Sicotte, Charles
R. Doucet, Montreal.

Commissioners under the Na- turalization Act.

L. W. Sicotte, Montreal

Extradition.

I. FROM CANADA.

In Canada, as in all other British possessions, the Extradition system known as the "Judicial system" prevails. By this system, while the Executive Government decides finally the question of delivery and makes the delivery of the fugitive, the judicial authorities make the preliminary investigation of the criminality of the person whose surrender is sought.

The authorities competent to make the preliminary investigation of the crime are mentioned in R. S. C. cap. 142, "The Extradition Act," sec. 5. "These are, in addition to the Judges of the Superior Courts and of the County Courts of any province, all Commissioners appointed under the Great Seal of Canada to act judicially in extradition matters. Such commissioners have all the powers and jurisdiction of any Judge or Magistrate for the purposes of 'The Extradition Act.'"

The Extradition Act prescribes the procedure to be followed and the delays within which extradition may be granted after the fugitive has been duly committed. It also prescribes what evidence shall be sufficient to justify the committal. The crimes for which extradition may be granted are limited to those specified in the treaties which Great Britain has on the subject with the various countries of the world. It seems pretty certain that extradition without treaty cannot be granted under the existing law of Canada.

The prisoner having been duly committed for surrender, the committal is notified by the Judge or Commissioner to the Minister of Justice; but fifteen days must elapse before the Minister of Justice issues his warrant of surrender (section 12), and this is not done in any case until the requisition for the surrender has been received through the proper channel from the foreign government. The requisition generally states the name of the officer who is authorized to receive and take charge of the fugitive and convey him to the foreign country, and the Minister of Justice's warrant is addressed to such officer and to the sheriff or other officer having the custody of the prisoner.

II. FROM A FOREIGN COUNTRY TO CANADA.

In connection with demands for the extradition of fugitives from any country having a treaty with Great Britain, it may be stated that all steps necessary towards securing the arrest of the fugitive and his committal for extradition must be taken by the party seeking the extradition. This, of course, includes swearing out any information and obtaining any warrant and evidence requisite to that end. Generally speaking, the action of the Dominion Government is limited to making through the proper channel on the foreign Government the necessary demand or requisition under the treaty for the surrender of the fugitive, and to furnishing to the parties seeking the extradition a warrant of *recipias* directed to the officer who is to take charge of the prisoner. The demand or requisition is made at the request of the Provincial Government concerned, the Provincial authorities being charged with the administration of criminal justice; if made at the request of an individual or company, the Dominion Government require to be indemnified against any expense in connection with the proceedings. Of course, any authentication of documents or official signatures required is given by the Dominion; also, any certificate, etc., which may be necessary. It should be remembered that the

signatures and seals of Provincial officers have to be first authenticated by the Lieutenant-Governor.

The Canadian Extradition Act simply gives the procedure in this country. The crimes for which fugitive offenders may be extradited are contained in the various treaties in subjoined list.

III.

FROM UNITED STATES TO CANADA.

Fugitive offenders may be extradited from and to the United States as follows:

All persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper.

Manslaughter when voluntary.

Counterfeiting or altering money; uttering or bringing into circulation counterfeit or altered money.

Embezzlement; larceny; receiving any money, valuable security, or other property, knowing the same to have been embezzled, stolen, or fraudulently obtained.

Fraud by a bailee, banker, agent, factor, trustee, or director or member or officer of any company, made criminal by the laws of both countries.

Perjury, or subornation of perjury.

Rape, abduction, child-stealing, kidnapping.

Burglary, house-breaking or shop-breaking.

Piracy by the law of nations.

Revolt, or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master; wrongfully sinking or destroying a vessel at sea, or attempting to do so; assaults on board a ship on the high seas, with intent to do grievous bodily harm.

Crimes and offences against the laws of both countries for suppression of slavery and slave-trading.

Extradition is also to take place for participation in any of the crimes mentioned in this Convention, or in the Tenth Article in subjoined list, provided such participation be punishable by the laws of both countries.

Akin to the subject of extradition is the surrender of fugitive offenders from other parts of Her Majesty's dominions. This is governed by R. S. C. cap. 143, "The Fugitive Offenders Act," which is almost an exact transcript of the Imperial Act upon the same subject.

Extradition Commissioners throughout the Dominion of Canada.

RESIDENCE.	NAME.	DATE OF APPOINTMENT.
Battleford, N.W.T.	Hon. Hugh Richardson	25th April, 1883.
Battleford, N.W.T.	Hon. Charles B. Rouleau	3rd September, 1885.
Lake Bennett, B.C.	William John Rant	20th June, 1898.
Montreal, Que.	Alric Lafontaine	
Montreal, Que.	Joseph P. Cook	
Montreal, Que.	Louis Wilfrid Sicotte	26th January, 1891.
Niagara Falls, Ont.	Thomas Stinson Jarvis	15th October, 1883.
Niagara Falls, Ont.	Harry Lawrence Hughes	7th March, 1889.
Quebec, Que.	Alexandre Chauveau	24th May, 1887.
Quebec, Que.	Ludovic Brunet	26th August, 1890.
Sherbrooke, Que.	Henry Walter Mulvena	14th October, 1896.
Vancouver, B.C.	Albert Edward Beck	20th August, 1890.
Victoria, B.C.	Hon. Edgar Dewdney	25th April, 1883.
Windsor, Ont.	Alexander Bartlett	23rd June, 1883.

And all Judges of Superior and County Courts.

LIST OF THE EXISTING EXTRADITION TREATIES, DECLARATIONS
AND CONVENTIONS OF GREAT BRITAIN.

Argentine Republic	22nd May, 1889 (rat. 15th December, 1893.)
Austria-Hungary	Treaty of December 3rd, 1873.
Belgium	Treaty of May 20th, 1876.
"	Declaration of July 23rd, 1877.
"	And Declaration of April 21st, 1887.
Brazil	Treaty of November 13th, 1872.
Columbia	27th October, 1888.
Denmark	Treaty of March, 31st, 1873.
Ecuador	Treaty of September 20th, 1880.
France	Treaty of August 14th, 1876.
Germany	Treaty of May 14th, 1872.
Guatemala	Treaty of July 4th, 1885.
Hayti	Treaty of December 7th, 1874.
Italy	Treaty of February 5th, 1873.
"	And Declaration of May 7th, 1873.
Liberia	16th December, 1892.
Luxembourg	Treaty of November 24th, 1880.
Mexico	Treaty of September 7th, 1886.
Monaco	17th December, 1891.
Netherlands	Treaty of September 26th, 1898.
Portugal	17th October and 13th November, 1892.
Roumania	21st March, 1893.
Russia	Treaty of November 24th, 1886.
Salvador	Treaty of June 23rd, 1881.
San Marino	Treaty of March 3rd, 1900.
Spain	Treaty of June 4th, 1876.
"	And Treaty of February 19th, 1889.
Sweden and Norway	Treaty of June 26th, 1873.
Switzerland	Treaty of November 26th, 1880.
Tonga*	Art. IV. of Treaty of November 29th, 1879
"	And Protocol of July 3rd, 1882.
United States	Art. X. of Treaty of August 9th, 1842.
"	And Blaine-Pauncefote Treaty of 12th July, 1889
Uruguay	Treaty of March 26th, 1884.

*Tongau subjects escaping to British Territory.

Pardons.

In the matter of pardons of convicts in the penitentiaries, prisons, jails and reformatories, the application for clemency should be prepared in the form of a petition addressed to His Excellency the Governor-General, stating the age and name of the convict or prisoner, name of the Judge or Magistrate who tried and sentenced him, crime committed and date of sentence, term of imprisonment, where incarcerated and reasons for seeking the exercise of the clemency of the Crown. This petition should be addressed to the Secretary of State at Ottawa and signed by one or more persons, with any documentary evidence or letters regarding the previous character of the prisoner, etc., etc. The matter is then submitted to the Department of Justice, where full enquiries are made into the case, and the papers are subsequently laid, with the advice of the Minister of Justice, before His Excellency the Governor-General, whose pleasure is communicated by the Secretary of State to the parties interested and to the Warden of the Penitentiary or Keeper of the Jail as the case may be.

In capital cases, the Judge, after sentencing the prisoner, forwards under the authority of Section 937 of "The Criminal Code,

1892," a copy of the evidence and his report to the Secretary of State. Any application for the commutation of the death sentence should be addressed to His Excellency the Governor-General in Council, through the Secretary of State, in the form of a petition setting forth reasons for such application in various paragraphs, etc., 1, 2, 3. The application or applications are referred to the Minister of Justice, and are there carefully considered and submitted by him, with his recommendation, to the Governor-General in Council, whose pleasure is communicated to the interested parties by the Secretary of State.

Remission of Fines.

Where a remission of a fine is sought, action is only taken upon the report of the Department concerned—for instance, the Department of Inland Revenue, Customs Department, etc.

Agents Appointed Under "The Alien Labour Act," 60-61 Vic. (1897), Cap. 11.

A. C. Paterson	Act. Sub-Collector Customs	North Portal, N.W.T.
H. Tennant	" "	Con'tts, N.W.T.
J. A. McMartin	" "	Huntingdon, B.C.
A. Lawrence	" "	Gretna, Man.
T. J. Mather	Acting Officer	Gretna, Man.
G. G. Allen	Preventive Officer	Emerson, Man.
W. Mills	Acting Officer	Emerson, Man.
W. F. McCreary	Immigration Commissioner	Winnipeg, Man.
James Lawson	Collector of Customs	Fort Erie.
Robert Rush	Provincial Constable	Sault Ste. Marie.
Arthur Boyle	Collector of Customs	Niagara Falls, Ont.
Jas. H. Kenning	Collector Inland Revenue..	Windsor, Ont.
F. Spain	Emigration Agent	Bridgeburg, Ont.
W. B. McMurich,		Toronto.
O. Allen		Wallaceburg.
Archie Johnson		Nelson, B.C.
J. P. McLeod	Barrister	Greenwood, B.C.
Wm. Keys		Montreal, P.Q.
Edwin P. Bremner		New Denver, B.C.
R. Garner		Niagara Falls S'th, Ont.
W. H. Beck		Little Current, Ont.

Summary of the Acts of the Parliament of the Dominion of Canada.

Passed in the Fifth Session of the Eighth Parliament,
63-64 Victoria (1900).

PUBLIC ACTS.

Chapters 1, 2, 3, 4, and 5 are Appropriation Acts.

Chapter 6—Provides for the expenses of sending volunteers to South Africa.

Chapter 7—Confirms an agreement between the Dominion Government and the commissioner of public works of Prince Edward Island, relating to the construction of a railway from Charlottetown to Murray Harbour.

Chapter 8—Authorizes the granting of the subsidies therein named in aid of the construction of the lines of railway therein mentioned upon certain conditions.

Chapter 9—Provides a subsidy for a steamship service between British Columbia and China and Japan for a period not to exceed ten years, the subsidies not to exceed £15,000 sterling per annum for a monthly service, or £25,000 sterling per annum for a fortnightly service.

Chapter 10—Authorizes the government to enter into contracts with Messrs. H. & A. Allan, and Messrs. Robert Reford & Co., to provide cold storage on steamships from Montreal to the United Kingdom during the seasons of 1900 and 1901, upon such terms and conditions as the Government may deem expedient, the sum to be paid for such cold storage not to exceed \$28,750.00 in one year.

Chapter 11—Provides for the registration in the United Kingdom of inscribed stock of the Dominion of Canada heretofore issued or hereafter to be issued.

Chapter 12—Is a consolidation of The Dominion Elections Act.

Chapter 13—Provides in amendment of The Dominion Controverted Elections Act; that in the Province of Prince Edward Island a petition complaining of the improper election of a candidate may be limited to a demand for a scrutiny of the votes objected to.

Chapter 14—The principal amendment to The Civil Service Act made by this Act is the creation of an additional class, namely, that of junior second class clerks.

Chapter 15—Amends in certain particulars the customs tariff of 1897.

Chapter 16—Authorizes the discharge by Order-in-council of bondsmen liable for repayment for seed grain furnished by the Crown to persons in the North-West Territories.

Chapter 17—Extends the time limits for compliance with the conditions of the Act respecting grants of lands to members of the militia force on active service in the North-West during the rebellion so as to include the current year.

Chapter 18—Provides for the appointment of commanding officers of each of the twelve districts, such officers not to rank below lieutenant-colonel, and to be paid at the rate of \$1,200.00 per annum; also for the staff of each military district. It also provides that officers holding commissions in the militia may be placed on the retired list with honorary rank not exceeding that of colonel, and officers now on the retired list holding commissions as lieutenant-colonel may be promoted to the rank of colonel.

Chapter 19—Provides that members of the North-West mounted police force on active service in South Africa shall be entitled to have such active service counted as service in the police force for all purposes of superannuation and pension.

Chapter 20—In amendment of The Dominion Lands Act, defines the conditions of residence necessary to issue of patent; also provides that in reckoning the time for homestead patent, absence of a volunteer on active service in Canada, or in defence of Canada against a foreign power, or as a member of a company or contingent of Canadian volunteers, may be counted as residence within the meaning of the Act. It also provides for the issue of patents in certain cases to disabled volunteers.

Chapter 21—In amendment of The Land Titles Act, 1894; makes provision as to proceedings commenced under repealed provisions of The Territories Real Property Act, and amendments; and also lays down what is required for the purposes of the Act in regard to transmission of land by a deceased owner.

Chapter 22—Provides that interest on compensation money in expropriation cases may be at the rate of 5 per cent. per annum, but no person to whom has been tendered a sum equal to or greater than the amount to which the Court finds him entitled shall be allowed any interest subsequent to the date of the tender. Interest may also be refused or diminished in certain cases.

Chapter 23—This Act, in amendment of The Railway Act, makes plainer the application of that Act to street railways and tramways. It also contains several minor amendments in respect to location of railways, and alterations in the same, and the powers of the railway committee in relation thereto and to other matters.

Chapter 24—Provides for the establishment of conciliation boards to aid in the prevention and settlement of trade disputes, and to promote amicable settlement of conditions between employers and workmen, or between different classes of workmen; also for the publication of labor statistics by a department established in that behalf.

Chapter 25—Provides that in the case of a license to reprint a book copyrighted in the United Kingdom or British possession, the Minister of Agriculture may prohibit importation of other reprints of such a book; also that such prohibition may be suspended or revoked on proof that the license to reproduce in Canada has expired, or that the reasonable demand for the book in Canada cannot be made without importation, or that the book is not being suitably printed or published, or that any other state of things exists on account of which it is not in the public interest to prohibit importation.

Chapter 26—This Act amends The Bank Act of 1890, particularly in reference to the application thereof to certain banks, trust estates, statements, note issues and business in powers of bank returns; and also in reference to powers of The Canadian Bankers Association.

Chapter 27—Amends the last Act mentioned in certain details in respect to the agreement required to be approved by shareholders where it is proposed to sell the whole or any portion of the assets of a bank.

Chapter 28—Continues the charter of certain savings banks in the Province of Quebec, and provides in what securities the deposits in such bank shall be invested.

Chapter 29—Reduces the legal rate of interest to 5 per cent.

Chapter 30—In amendment of The Experimental Farm Station Act. This Act provides for the management of farm stations, and the appointment and remuneration of a director, and such officers and other employees as are necessary for each farm station.

Chapter 31—In amendment of the San José Scale Act. This Act provides for the importation at ports of entry to be named by the Governor-in-Council of nursery stock coming from any country to which the said Act applies, provided such nursery stock has been properly fumigated.

Chapter 32—This Act repeals the former acts relating to Chinese immigration and substitutes new provisions, the principal of which is a tax of \$100.00, which is payable by all Chinese immigrants with certain few exceptions. Other provisions relate to the number of Chinese immigrants to be carried in any vessel, the permit to be granted by the controller before they are permitted to land, and other matters relating to health, quarantine, etc.

Certain classes of immigrants are entirely prohibited from coming into Canada, such as paupers, idiots, prostitutes, etc. The Act contains appropriate penalties for violation of its provisions.

Chapter 33 Provides for the incorporation of Live Stock Record Associations, not more than one association to be incorporated for each distinct breed of horses, cattle, sheep or swine. Other provisions relate to the matter of the constitution, by-laws, and rules of such associations, and penalties are provided for signing or presenting false pedigrees.

Chapter 34—Empowers the Commissioner of the Yukon Territory in Council to make ordinances for the preservation of game in the Yukon Territory.

Chapter 35—Exempts steamships sailing from Canada between the 16th March and the 12th October in each year from the restrictions provided in chapter 77 of the Revised Statutes of Canada as amended in relation to deck loads.

Chapter 36—Provides for the establishment of a pilotage Court for the pilotage district of Montreal, such Court to hear and determine any complaints against a pilot, and also to act in the inquiries in connection with accidents or damage happening to or caused by vessels in charge of a pilot. The powers of such pilotage Court are to lapse upon the establishment of an admiralty district at Montreal under The Admiralty Act, 1891, and be transferred to The Exchequer Court of Canada, Admiralty side, and the Local Judge in Admiralty for the Montreal district to have all the powers, jurisdiction, etc., of the Montreal pilotage Court.

Chapter 37—In amendment of The Weights and Measures Act; makes provision as to the packing for exportation of Canadian apples, pears, quinces, etc., prescribes the standard dozen of eggs, and other matters.

Chapter 38—In amendment of The General Inspection Act; provides that special grade for flax seed.

Chapter 39—Provides for the regulation generally of all matters connected with the grain trade in the inspection district of Manitoba; also the appointment of a warehouse commissioner, his duties as to all elevators, mills, warehouses, etc., in the district.

Chapter 40—Provides for the inspection when required of United States grain or produce passing through Canada in transit to Great Britain or any foreign country.

Chapter 41—In amendment of The Gas Inspection Act; obliges every undertaker to keep the public informed of the illuminating power of the gas supplied by him by means of certificates, to be posted up in the chief office of the undertaker from time to time as therein detailed according to a number of meters.

Chapter 42 In amendment of The Companies Clauses Act; empowers a company by by-law to change its head office; or principal place of business in Canada to any other place in Canada; and provides the conditions under which any such by law shall be valid.

Chapter 43 Amends the Loan Companies Act, so as to take away the power from intending incorporators of applying for the franchises of any existing company, their right being limited to the right of acquiring the assets, credits and property of such other company.

Chapter 44—Amends the constitution of the Supreme Court of the North-West Territories by providing that such Court shall consist of a Chief Justice and four puisne justices.

Chapter 45—In amendment of The Admiralty Act, 1891; provides for the constitution in any part of Canada of admiralty districts and registries, and also for the division of the territory comprised in any district into two or more registry divisions; also for the appointment of the requisite officers and clerks. It also prescribes where suits are to be instituted.

Chapter 46—Amends the Criminal Code, 1898, by further defining certain offences, and by making additional provisions as to procedure.

Chapter 47—Provides a new schedule of salaries to The Penitentiary Act.

Chapter 48—Applies the ticket of leave system to all gaols, and other public or reformatory prisons.

Chapters 49 to 129, both inclusive, are local and private acts, the nature and object of which are sufficiently indicated by their titles.

Members of the Queen's Privy Council for Canada.

(Members of the Dominion Cabinet).

Prime Minister—The Right Hon. Sir Wilfrid Laurier, G.C.M.G.,
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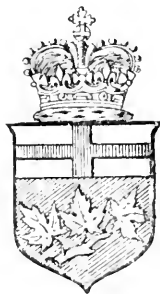
(Not of the Cabinet).

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George William Allan.	W. H. Montague.
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Edward Blake.	Sir Oliver Mowat,
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C.B., K.C.M.G.	K.C.M.G.
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THE
CANADIAN
LAW LIST

(HARDY'S)

1901



ONTARIO.

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ONTARIO.

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The Justices in Appeal, and of the High Court of Justice, are members of the Supreme Court.

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Clerk—Neil McLean

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Fulford Arnoldi

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G. T. Leonard

Taxing Officers—
J. H. Thom, Geo. M. Lee

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Gwynne, F. Arnoldi, G. A.
Boomer, H. J. Wickham.
Cornwall—John A. McDou-
gald, Hamilton—H. H.
Robertson, Miss K. L. Sad-
ler. Windsor—J. F. C.
Haldane. Galt—C. A. Dur-
and. Belleville—J. P. Tho-
mas.

*Inspector and Referee of
Titles*—

Geo. S. Holmsted

Inspector of Legal Offices—
James Fleming

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ter-in-Ordinary, the Master-
in-Chambers, the Registrars
of the Queen's Bench, the
Court of Appeal, Chan-
cery Divisions, the Clerk of
the Crown and Pleas, the
Accountant, the Inspector of
Titles, and Neil McLean;
nine official referees for To-
ronto

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ston Osler, Hon. Jas. Mac-
lennan, Hon. Charles Moss,
Hon. James F. Lister.

Registrar—Jas. S. Cart-
wright

Asst. Registrar—C.S. Grant

Usher—Eli Oliver

Reporter—R. S. Cassels

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Chief Justices—Hon. Sir
Wm. Ralph Meredith, Hon.
Wm. G. Falconbridge

Justices—Hon. Thos. Fer-
guson, Hon. John E. Rose,
Hon. Thos. Robertson, Hon.
Hugh MacMahon, Hon. W.
P. R. Street, Hon. Richard
Martin Meredith.

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Clerks of Assize—
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Clerk of Weekly Court—
A. F. Maclean

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Clerk of Records and Writs
—M. J. Macnamara

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Clerks—Alex. Macdonell,
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M. B. Black, R. F. Killaly,
F. W. Scott, C. Bell

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Clerks—Sir F. Robinson,
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Deputy Minister of Justice
Edmund L. Newcombe, Q.C.

Solicitor General for Canada—Hon. Charles Fitzpatrick, Q. C.

Attorney General, Ontario—
Hon. J. M. Gibson, Q.C.

Deputy Atty-General, Ont.
J. R. Cartwright, Q.C.

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Hon. J. M. Gibson, Q.C., Attorney-General for Ontario.

Sir O. Mowat, G.C.M.G.
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Sir Thomas Galt, Kt.
Sir Charles H. Tupper,
Q.C., K.C.M.G.

Hon. A. S. Hardy, Q.C.
Sir G. M. Burton, Kt.

Elected to hold Office until 1st day of Easter Term, 1901:

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Barwick, Walter, Toronto
Bayly, Richard, London
Bell, John, Belleville
Britton, Byron M., Kingston
Bruce, Alexander, Hamilton
Clarke, Alfred H., Windsor
Chrysler, F. H., Ottawa
Douglas, William, Chatham
Edwards, E. B., Peterboro.

Gibbons, George C., London
 Guthrie, Donald, Guelph
 Hogg, William D., Ottawa
 Hoskin, John, Toronto
 Idington, John, Stratford
 Irving, Æmilus, Toronto
 Kerr, William, Cobourg
 Lash, Zebulon L., Toronto
 Martin, Edward, Hamilton
 Macdougall, C., St. Thomas
 Maclellan, D. B., Cornwall
 Osler, Britton B., Toronto
 Riddell, Wm. R., Toronto
 Ritchie, Charles H., Toronto
 Robinson, C. C., Toronto
 Shepley, Geo. F., Toronto

Strathy, Henry H., Barrie
 Teetzel, J. V., Hamilton
 Watson, Geo. H., Toronto
 Wilkes, Alf. J., Brantford

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Principal—

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*Lecturers—*E. D. Armour,
 Q.C.; A. H. Marsh, Q.C.;
 John King, Q.C.; McGregor
 Young, LL.B.

*Examiners—*Goodwin Gib-
 son, J. A. C. Cameron, W.
 N. Tilley, H. E. Rose.

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With notice for admission as Student-at-Law	\$ 1 00
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In case any candidate for Call to the Bar, or for a Certificate of Fitness as Solicitor, fails to pass the necessary examination, or is rejected on any other ground, the fee deposited by him according to the Statute or the Rules of the Society, shall be returned to him by the Secretary, less \$10. [The fee for Final Examinations is not divisible, as the examination covers the qualifications for both Call and Certificate of Fitness. \$20 must be paid for the Christmas Examinations, and the balance of \$140 for the Easter Examinations.]

List of Her Majesty's Counsel.

The order given is the Date of the Order in Council making the appointment.

QUEEN'S COUNSEL APPOINTED BY PATENT FROM THE GOVERNMENT OF THE LATE PROVINCE OF CANADA.

Dec. 29, 1855.
Oliver Mowat, G.C.M.G.
Dec. 23, 1858.
David Breckenridge Read
March 27, 1863.
Æmilius Irving
Christopher Robinson

Dec. 22, 1864.
Edward Blake
June 26, 1867.
John Bell
Clarke Gamble.
Richard W. Scott.

REVISED LIST OF QUEEN'S COUNSEL APPOINTED BY THE DOMINION AND ONTARIO GOVERNMENTS.

March 16, 1872.
Wm. Proudfoot
Samuel Hume Blake
Dec. 18, 1872.
David Tisdale
Feb. 28, 1873.
Thomas Hodgins
Geo. R. Van Norman
John Hoskin
March 13, 1876.
Francis Ramsay Ball
Byron Moffatt Britton
Thomas Deacon
Donald Guthrie
Arthur S. Hardy
John Idington
James K. Kerr
William Kerr
William Lount
Francis MacKellenn
Donald Ban Maclellan
Edward Martin
Britton Bath Osler
John Galloway Scott
May 19, 1879.
Zebulon Aiton Lash
Oct. 11, 1880.
Alfred Hoskin
John O'Donohoe
Richard T. Walkem

Aug. 13, 1881.
Wm. Henry R. Alison
Allen R. Dougall
William McDougall
Samuel Smith McDonnell
John McIntyre
John Charles Rykert
Alexander Shaw
July 14, 1883.
Fred. W. Barwick
Richard Bayly
Walter G. P. Cassels
James Jos. Foy
George MacDonell
Valentine Mackenzie
Norman F. Paterson
Henry J. Scott
Hugh McKenzie Wilson
Oct. 23, 1885.
Charles R. Atkinson
Alexander Bruce
John Wesley Beynon
William Douglas
Jas. Thompson Garrow
Jas. Harshaw Fraser
William Landlaw
James Holmes McDonald
Colin Macdougall
Edmund Meredith
William N. Miller
Alfred P. Poussette

Chas. Henry Ritchie
James Frederick Smith
Edward H. Smythe
Henry Hatton Strathy

Dec. 2, 1889.

J. B. Gowan
Francis Arnoldi
George Tate Blackstock
A. R. Boswell
W. Hannington Bowlby
Adam R. Creelman
Joseph Deacon
Thomas D. Delamere
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Nicol Kingsmill
Wm. H. Kingston
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George Monerrieff
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D. H. Preston
James M. Reeve
A. Romain-Lewis
George L. Tizard
W. H. Walker
W. F. Walker
R. M. Wells
William R. White
John A. Worrell

Jan. 4, 1890.

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John Wedgwood Bowlby
Charles R. W. Biggar
Henry Carscallen
John Robison Cartwright
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Thomas Langton
James McGee

Alex. F. McIntyre
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David Mills

Minister of Justice.

William Mulock
Elgin Meyers
John W. Nesbitt
Hugh O'Leary
Henry Robertson
George F. Shepley
Larratt W. Smith
James Vernal Teetzel
Daniel E. Thomson
George H. Watson
George W. Wells
Alfred John Wilkes

Jan. 6, 1890.

George O. Alcorn
John Bergin
Alfred Boulton
John Boyd
Edmund Campion
J. B. Clarke
W. D. Hogg
W. C. Loscombe
John A. Macdonnell
J. A. MacGillivray
D. O'Connor
J. P. Whitney
Matthew Wilson
John Fisher Wood

Nov. 18, 1893.

Edmund Leslie Newcombe

Sept. 6th, 1899.

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Thomas G. Blackstock
Napoleon A. Belcourt
T. H. A. Begue
Samuel C. Biggs.
Robert Bird
William H. Biggar
John Birnie
Willoughby S. Brewster
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Alexander Stuart
S. F. Washington
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John A. Walker

Where the appointment has been made by both Governments, the date of the first appointment is given.

BARRISTERS AND SOLICITORS—CITY OF TORONTO.

A.

NO. NAME AND ADDRESS.

- 1 Adams, A. A., 53 Can. Life Bldg
- 3 Agnew, Jno, 157 Bay st
- 5 Akers, John, 1 Wellington st e
- 7 **Anglin & Mallon**, 34 Victoria st. F. A. Anglin, J. W. Mallon
8. Armour & Mickle, 6 King st w. E. D. Armour, Q.C., H. W. Mickle
- 10 Armstrong, A. B., 77 Victoria st
11. Arnoldi, Gibson & Co., G., F. T. Arnoldi, 9 Toronto st.
- 12 **Arnoldi & Johnston**, 103 Bay st. F. Arnoldi, Q.C., Strachan Johnston

B.

- 14 Baldwin, L. H., 24 King w
- 15 **Barwick, Aylesworth & Wright**, 18-20 King w. W. Barwick, Q.C., A. B. Aylesworth, Q.C., Henry J. Wright, John H. Moss, Charles A. Moss, J. A. Thompson
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- 18 Beaton, A.H., 18 Court
- 19 **Beatty, Blackstock, Nesbitt, Chadwick & Riddell**.
Beatty, Blackstock, Galt & Fasken. Bk of Toronto Bldgs., Wellington e. W.H. Beatty, Thos. G. Blackstock, Q.C., Geo. T. Blackstock, Q.C., E. M. Chadwick, Wallace Nesbitt, Q.C., W. R. Riddell, Q.C., T. P. Galt, D. Fasken, A. Monro Grier, H. Armstrong, R. McKay, C. W. Beatty.

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- 21 Beaumont, R. B., 18 Toronto st
- 22 Beck, H.T., 18 Toronto street
- 23 Bedford-Jones, A. C., 18 Toronto st
- 24 Bentley, W. B. & Co., 1 Toronto st
- 25 Best, W.H., 70 Victoria
- 26 Bickford, E. H., 18 Toronto st.
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- 30 **Blake, S. V.**, 17 Victoria st, London, England, Solicitor (Ontario), admitted to practice in the Privy Council
- 31 Boomer, Geo. A., 17 Toronto st. (Special Examiner)
- 32 Boswell, A. R., Q.C., 59 Yonge st
- 34 Boulton & Boulton, 34 Victoria st. A. Boulton, Q.C., Reginald Boulton, H. C. Boulton

- 35 Bowerman, L. H., 65
Canada Life Bldg
- 37 Boyd, W. T., 23 To-
ronto st
- 38 **Briggs, A. W., M.A.,**
33 Richmond w
- 39 **Bristol, Cawthra &
Bayly,** 103 Bay st.
Edmund Bristol, W.
H. Cawthra, E. Bayly
- 39a **Brooke, G. H. C.,** 23
Adelaide e
- 40 Brown, Merritt A.,
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- 42 Bruce, John, City Hall
Special Examiner.
- 43 Bull & Kyles, 18 To-
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John Kyles
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C.

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Crooks
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T. J. Lee.
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ronto st
- 52 Canniff, H. T., 9½
Adelaide e
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ney-General's Office
- 54 Carey, F. W., 35 Ade-
laid e
- 55 Carscallen, Hall &
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W. C. Hall, J. W.
Payne
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H. Brock, G. M. Kel-
ley
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Cavell, T. A. Gibson
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ronto st.
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- 64 Church, H. W., 38
Confed'tion Life Bldg
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Bldg
- 66 Clark, W. J., 16 King
street w
- 67 **Clarke, Bowes &
Swabey,** Mail Bldg.,
J. B. Clarke, Q.C., R.
H. Bowes, C. Swabey,
E. Scott Griffin
- 68 **Clark, Wm. Mortim-
er, & Gray,** Freehold
Loan Bldg. Wm.
Mortimer Clark, Q.C.,
Frank M. Gray, W.
A. Baird
- 69 **Clute, Macdonald &
Macintosh,** McKin-
non Bldg. R.C. Clute,
Q.C., G. S. Macdon-
ald, J. A. Macintosh,
J. G. Hay, A. R.
Clute
- 71 Code, J. R., 10½ Ade-
laid e
- 72 **Cook, Wm., B.A.,**
Freehold Loan Bldg.
- 73 Corley & Loftus, 103
Bay st. J. W. S. Cor-
ley, J. T. Loftus
- 75 **Crombie, Worrell &
Gwynne,** 18 and 20
King w. J. A. Wor-
rell, Q.C., W. D.
Gwynne, Special Ex-
aminer.
- 75a Crowther, James, 166
Bay
- 75b Curry, Gunther & Eyre
6 King st w. J. W.
Curry, Q.C., City
Crown Atty, E. F.
Gunther, R. W. Eyre.

D.

- 76 Davis, Cook & Smith,
B. N. Davis, J. E.
Cook, D. T. Smith, 157
Bay st

- 77 Deacon, G. P., 34 Victoria
78 **Delamere, Reesor & Ross**, 18 Toronto st.
T. D. Delamere, Q.C.,
H. A. Reesor, C. C.
Ross
79 Denison, Shirley (with
Wells & McMurchy)
80 Denovan, A. M., 24
King st w.
81 Denovan, Joshua, 24
Adelaide e
82 **Denton, Dunn & Boulton**, 514, Temple Bldg.
Frank Denton, Q.C., Herbert L.
Dunn, W. M. Boulton
83 **Dewart, Young & Maw**, National Trust
Bldg. H. H. Dewart,
Q.C., Co. Crown Atty.
McGregor Young, H.
W. Maw
84 Dockray, T. D., 34
Victoria st
85 Dods, Grant & Macdonell, cor King &
Yonge. A. Dods, G.
Grant, Geo. F. Macdonell
86 Donald, Duncan, 18
Wellington st., e
88 Douglas, J., 61 Victoria
& 1296 Queen e
89 Drake, F. A., 9 Toronto st
91 Drayton, P. H., 9 Toronto st
93 **Duncan, Grant, Skeans & Miller**,
Bank of Com. Bldg.
E. J. B. Duncan, W.
H. Grant, W. A.
Skeans, A. A. Miller
94 DuVernet & Jones,
Temple Bldg. E.E.A.
DuVernet, J. E. Jones
95 Dymond, A. M. Attorney-General's Office

E.

- 96 Earngey & Hassard,
Confed Life Bldg. W.
D. Earngey, A.R. Hassard
97 East, M. H., Mail Bldg

- 98 East, H. M., 11½
Richmond st w
99 **Eastwood, J. P.**,
James Bldg.
101 **Edgar & Malone**, 59
Yonge st. E. T. Malone,
Q.C., J. F. Edgar,
A. L. Malone,
Fred Langmuir
102 **Elliott, Chas.**, 18
Wellington e
103 Elliott, W. J., 26 Adelaide w
104 **English, E. Taylour**,
Canada Life Bldg
105 Evans-Lewis, Chas., 43
Adelaide st e

F.

- 107 Ferguson & Johnston,
403 Temple Bldg. John
A. Ferguson, W.
Johnston
108 **Fetherstonhaugh, F. B.**, Bank Com. Bldg.
109 Fitzgerald, E. G., 53
Canada Life Bldg
110 Ford, F., Atty. Gen'l
Office
112 Fowler, H. C., 47 Canada Life Bldg
113 Foy & Kelly, 80 Church
st. J. J. Foy, Q.C.,
H. T. Kelly
E. L. Middleton, R. H.
Smith
114 Francis & Wardrop, 15
Toronto st. W. Francis,
R. Wardrop
115 Fraser & McKeown, 18
Toronto st. Robt. L.
Fraser, S. W. McKeown
116 Fullerton, J. S. Q.C.,
City Counsel, City Hall

G.

- 119 Gallagher & Bull, 46
King w. Ziba Gallagher,
W. P. Bull
120 Gamble, C. & H. D.,
28 Scott. Clarke
Gamble, Q.C., H. D.
Gamble
121 Gardner, G. M., 2 Toronto st
122 Gash, N. B., 10 King e
124 **Ghent, C. A.**, 84 Victoria st

- 125 Gibson, A. Cecil, Canada Life Bldg
 126 Gibson & Defries, 74 Church st. G. Gibson, R. A. L. Defries
 127 Gibson & Snider, Freehold Loan. F. C. Snider, D.C.L., R. J. Gibson
 131 Gordon & Sampson, Medical Bldg., Bay st. W. H. L. Gordon, Alex. Sampson, F. M. L. Gordon.
 133 Greene, C. H., 77 Victoria st
 134 Greer, A. E. K., 9 Toronto st
 135 Grierson, D. D., 9 Toronto st.
 136 **Grote, Geo. W.,** 6 Equity Chambers

II.

- 137 Hamilton, J. C., Confederation Life Bldg.
 138 Hannah, W.G., 35 Adelaide e
 139 Hansford, J. E., 18-20 King w
 141 Harman, Geo. F., 18 Toronto st
 142 Haverson, J., 28 Wellington e.
 143 Hearn & Lamont, 47 Can. Life Bldg. E. J. Hearn, J. J. Lamont
 145 Heighington, Joseph, 35 Adelaide e.
 147 Henderson, Charles, 28 Toronto st
 148 **Henderson, Robt. B.,** 48 King st w
 149 Henderson & Davidson, 24 Adelaide e. Elmes Henderson, N. F. Davidson
 150 Henderson, Small & Griffin, 24 Adelaide e. Jas. Henderson, J. T. Small, W. M. Griffin
 150a Heward, G. W. C., 18 King w.
 151 Heyd, L.F., Q.C., 76 Toronto st
 152 **Higgings & Douglas,** Bineen Bldg. T. M. Higgings, Wm. Douglas
 153 **Hilton, F. A.,** Mail Bldg
 154 Hislop, T., 9½ Adelaide e
 155 Hodge & Forster, 70 Victoria st. Robert Hodge, E. A. Forster
 156 Hodgins, J. G., Department of Education
 157 **Holman, Drayton & Slaght,** 86 Bay st. Chas. J. Holman, H. L. Drayton, A. G. Slaght
 158 Holmes & Gregory, Can. Life Bldg., G. W. Holmes, W. D. Gregory
 159 Hoskin, Ogden & Hoskin, 23 Toronto st. Alfred Hoskin, Q.C., Albert Ogden, A. E. Hoskin
 163 Hunter, John Howard, Parliament Bldgs
 164 Hunter, W. E. L., 59 Yonge st
 165 Hunter & Hunter, Temple Bldg. W. H. Hunter, A. T. Hunter, J. Hunter

I.

- 166 Irving, Æmelius, Q.C., Osgoode Hall
 168 **Irwin & Jones,** City Hall. H. E. Irwin, B. M. Jones
 169 Irwin, W. N., 18 Toronto st.

J.

- 170 Jackes & Jackes, cor. Church & Court sts. C. B. Jackes, M.A., LL.B., E. H. Jackes
 171 Jarvis, S. M., 9 Toronto st
 171a Jennings, John, 18 Toronto st
 172 **Johnston, Ross & Falconbridge,** James Bldg. H. F. B. Johnston, Q.C., Geo. Ross, J. D. Falconbridge
 173 Jones, H. C., 15 Toronto st

- 174 Jones, J. G., 157 Bay st
 175 Jones, Smith & Hollin-
 rake, 46 King w. S.
 Alfred Jones, W. A.
 Smith, W. A. Hollin-
 rake
 176 Jones, Mackenzie &
 Leonard, 18 Toronto
 st. Clarkson and Bev-
 erly Jones, G. A. Mac-
 kenzie, C. J. Leonard

K.

- 178 Kent, H. A. E., Ar-
 cade Yonge st
 179 **Kerr, Bull & Rowell**,
 59 Yonge st. George
 Kerr, B. E. Bull, N.
 W. Rowell, J. G. Shaw
 181 **Kerr, Davidson, Pat-
 erson & Grant**, 23
 Adelaide e. J. K.
 Kerr, Q.C., W. David-
 son, J. A. Paterson,
 R. A. Grant
 182 Kilmer & Irving, 10
 King w. G. H. Kil-
 mer, W. H. Irving, C.
 H. Porter
 183 King, S., 18 Well-
 ington e
 184 **King & Eagen**, 1 To-
 ronto st. John King,
 Q.C., N. B. Eagen
 185 Kingsford, R. E., 24
 King w
 186 **Kingsmill, Hellmuth,
 Saunders & Tor-
 rance**, 19 Wellington
 w. N. Kingsmill, Q.C.,
 I. F. Hellmuth, Dyce
 W. Saunders, W. P.
 Torrance, E. C. Cat-
 tanach
 187 **Kingstone, Symons
 & Kingstone**, 20
 King w. F. W. King-
 stone, D. T. Symons,
 H. G. Kingstone

L.

- 188 **Laidlaw, Kappele &
 Bicknell**, Imperial
 Bank Bldg. W. Laid-
 law, Q.C., Geo. Kap-
 pele, Jas. Bicknell, J.
 W. Bain, C. Kappele
 189 Laing, J. M., Mail Bldg

- 190 **Lamport & Fergu-
 son**, Can. Life Bldg.
 W. A. Lamport, H.
 M. Ferguson
 191 Lander, Wm. J. Can-
 ada Life Bldg
 193 Lawrence, A. G. F.,
 77-8 Freehold Bldg.
 195 Lefroy & Boulton.
 Traders Bank Bldg.
 A. H. F. Lefroy, C.
 R. Boulton, J. G. B.
 Merriek
 196 **Le Veseonte, R. C.**,
 National Trust Bldg
 197 Lindsey & Wadsworth.
 77-8 Freehold Bldg. G.
 G. S. Lindsay, W. R.
 Wadsworth
 198 Lobb, A. F. City Hall
 199 **Lobb & Baird**, 2 To-
 ronto st. Jas. Baird
 200 **Lount, Marsh &
 Cameron**, 25 Toronto
 st. W. Lount, Q.C., A.
 H. Marsh, Q.C., W. A.
 Cameron
 201 Love, S., 75 Yonge st

Mc.

- 202 McArthur, D., 39, Ade-
 laide e
 203 **McBrady & O'Con-
 nor**, Can. Life Bldg.
 L. V. McBrady, T. J.
 W. O'Connor
 204 McBride, Jas., Janes
 Building
 204a McCabe, C. J., 9½
 Adelaide st e
 205 **McCarthy, Osler,
 Hoskin & Creel-
 man**, Freehold Bldg.
 Victoria st. B. B.
 Osler, Q.C., J. Hos-
 kin, Q.C., L.L.D.,
 Adam R. Creelman,
 Q.C., F. W. Harcourt,
 W. B. Raymond, W.
 M. Douglas, H. S.
 Osler, Leighton G. Mc-
 Carthy, D. L. Mc-
 Carthy, C. S. Mac-
 Innes, F. B. Osler
 "with McCarthy &
 Co." A. J. Byrd, A.
 F. Wilson

- 207 McCullough, J. W., 18 Toronto st
- 208 McDonald, W. J., 18 Toronto st
- 209 McGhie & Keeler, 91½ Adelaide e. J. H. McGhie, A. J. Keeler
- 210 McGillivray, J. A., Q.C., Temple Bldg
- 211 McLaughlin & Johnston, Confed. Life Bld. R. J. McLaughlin, R. L. Johnston
- 212 McLean & McCallum, 61 Victoria st. Donald R. McLean, W. H. S. McCallum
- 213 McMichael, A. F., 18 Victoria st
- 214 **McMurrich, Coatsworth, Hodgins & McMurrich**, 5 Melinda st. W. B. McMurrich, Q.C., Emerson Coatsworth, jr., Frank E. Hodgins J. D. McMurrich, B.A.
- 215 McNab, Allan, 15 Toronto st
- 216 McPherson Clark, Campbell & Jarvis, 16 King st w. W. D. McPherson, J. M. Clark, Q.C., R. U. McPherson, G. C. Campbell, F. C. Jarvis, R. E. Gagen
- 218 **McWhinney, Ridley & Co.**, 39 Victoria st. W. J. McWhinney, H. E. Ridley, S. B. Woods
- 219 McWilliams, W. G., Mail Bldg

M.

- 220 **Macdonald, Cartwright & Garvey**, 37 Yonge st. A. D. Cartwright, W. H. Garvey
- 221 Macdonald, Charles Egerton, 18 Toronto
- 223 Macdonald, Donald, 1 Toronto st
- 224 Macdonald, J. A., Jones Bldg

- 226 Macdonell, McMaster & Geary, 51 Yonge. A. McL. Macdonell, A. C. McMaster, G. R. Geary
- 227 **Macdonell, Boland & Thompson**, 2 Toronto st. A. C. Macdonell, W. J. Boland, J. T. C. Thompson
- 228 Macdougall & Jones, 18 Toronto st. A. Macdougall, F. C. Jones
- 229 MacGregor, John, 9 Toronto st
- 230 Mackay, W. C., McKinnon Bldg
- 231 Mackenzie, E. C., 18 Toronto st
- 232 Mackenzie, H. Gordon, Medical Bldg
- 233 Macklem & Denison, 15 Toronto st. O.R. Macklem, G.T. Denison, jr
- 234 **Maclaren, Macdonald, Shepley & Middleton**
Maclaren, Macdonald, Shepley & Donald, 28, 30 Toronto st. J. J. Maclaren, Q.C., J.H. Macdonald, Q.C., G. F. Shepley, Q.C., W. E. Middleton, R. C. Donald
- 235 **Maclean, Frank W.**, 34 Victoria
- 236 Macrae, H. H., 1 Toronto st.
- 237 Marsh & Marsh, Freehold Loan Bldg. G. W. and W.L.E. Marsh
- 238 Martin, H. J., 43 Adelaide e
- 239 Martin, S.S., 16 King w
- 240 **Masten, Warren, Starr & Spence**, Canada Life Bldg. A. A. Masten, J. R. L. Starr, J. J. Warren, J. H. Spence
- 241 Mearns & Hunt, Freehold Loan Bldg. F. S. Mearns, T. A. Hunt
- 242 Medd, Sydney T., Canada Life Bldg
- 243 **Meek, Ed.**, Mail Bldg.
- 244 Mercer & Bradford, Bk of Com. Bldgs. M. S. Mercer, S.H. Bradford

- 247 **Millar, Ferguson & Hughes**, 55 Yonge, C. Millar, W. N. Ferguson, V. J. Hughes
- 248 Milliken & Clark, 72 Yonge st. W. B. Milliken, H. A. Clark
- 249 Mills & Tennant, 16 King st w. J. A. Mills, J. H. Tennant
- 250 **Mills, Raney, Mills & Hales**, 16 King w. G. G. Mills, W. E. Raney, Alex. Mills, J. Hales
- 251 Moberly, T. E., 28 Toronto st
- 252 Montgomery, Fleury & Montgomery, 69 & 70 Can. Life Bldg. J. D. Montgomery, W. J. Fleury, R. A. Montgomery
- 254 Morphy, Arnold, Barsar, Upper Can. Col.
- 255 Morris, W., 24 King w
- 256 Mowat, Langton, Mowat & Maclellan, 9 Toronto st. Sir Oliver Mowat, G.C.M.G., Q.C., T. Langton, Q.C., H. M. Mowat, Q.C., R. J. Maclellan
- 257 **Mulock, Mulock, Thomson & Lee**, Dominion Bank Cham., Wm. Mulock, Q.C., Wm. Mulock, jr., McDowall Thomson, Geo. H. D. Lee
- 258 Mulvey, Thomas, 11 Quebec Bank Cham
- 259 Munro, R. H. R., 9 Toronto st
- 260 Murray, A. G., 61 Victoria st
- 261 Murray, Huxon W. M., Q.C., 18 Toronto st

N.

- 262 Nason, J., 65 Canada Life Bldg
- 263 Neville & Bell, 18 & 20 King st w. R. S. Neville, C. W. Bell
- 264 Nicol, W. B., 13 Adelaide e
- 264a Norris, Wm., 100 Church st

O.

- 265 O'Brian, J. B. Freehold Loan Bldg
- 266 O'Brien & Lundy, H. O'Brien, J. S. Lundy
- 267 **O'Donohoe, Hon. J.**, 100 Church st.
- 268 O'Meara, A. E., Confederation Life Bldg
- 269 Owens & Co., 9 Toronto, E. W. J. Owens

P.

- 270 Paterson, Ritchie & Sweeney, 312 Temple Bldg. N. F. Paterson, Q.C., P. E. Ritchie, G. R. Sweeney
- 271 Parker, W. R. P., 18 Toronto st
- 273 Pearson & Denton, 1 Toronto st. J. Pearson, J. H. Denton
- 274 Penton, Edward, 24 Adelaide e
- 275 **Pinkerton & Cooke**, Medical Bldg. W. Pinkerton, F.C. Cooke
- 276 Proctor, Jas. A., 24 Adelaide e

R.

- 277 **Reeve, J. M.**, Q.C., Dineen Bldg
- 278 Read & Read, McKinnon Bldg. D. B. Read, Q.C., W. Read
- 279 **Reid & Wood**, Freehold Loan Bldg. T. A. Reid, S. Casey Wood, jr
- 280 Reynolds, E. R., 77 Victoria st
- 281 **Ridout, John G.**, 103 Bay st
- 282 Ritchie, G. 8½ King e
- 283 Ritchie, Ludwig & Ballantyne, 9 Toronto st. C. H. Ritchie, Q.C., M. H. Ludwig, A. W. Ballantyne
- 284 Roaf & Roaf, 23 Adelaide e. W. Roaf, Q.C., J. R. Roaf
- 286 Robertson & Maclellan, 53 Can Life Bldg. Donald M. Robertson, Jas. J. Maclellan

- 287 Robertson, Jas. E., 18
Toronto st
- 288 Robinette & Godfrey,
15 Toronto st. T. C.
Robinette, J. M. God-
frey
- 289 Robinson, Christopher,
Q.C., 18 Toronto st
- 290 Robinson, C. C., Can-
Life Chambers
- 291 Roche, F. J., & Co., 15
Wellington w
- 292 **Rolph & Brown**, 32
Adelaide e. Thos. T.
Rolph, E. B. Brown
- 295 Rowan & Ross, Nation-
al Trust Bldg. Jas. L.
Ross, T. A. Rowan,
A. W. Holmsted
- 296 Royce, A.H., 48 King w
- 297 Ryckman, Kirkpatrick
& Kerr, Canada Life
Bldg. E. B. Ryckman,
C.W.Kerr, A. T. Kirk-
patrick

S.

- 303 Scott, H. J., Q.C., 15
Toronto st
- 304 Scott & Scott, 31
Yonge, J. J., Q.C., C.D.
and J. T. Scott
- 305 Segsworth, R. F., 103
Bay st
- 306 Shaver, H. Howard
106 Bay st
- 307 Shaw, John, City Hall
- 308 Shilton, Wallbridge &
Martin, 100 McKin-
non Bldg. John Shil-
ton, W.H. Wallbridge,
Clara B. Martin
- 309 Sinclair & Sinclair, 46
King w. A. H. Sin-
clair, D. L. Sinclair
- 310 Slattery, T. F., cor.
King & Yonge
- 311 **Smellie & Shaw**, 36
King st e. R. S.
Smellie, J. R. Shaw
- 312 Smiley, F. L., with C
& H. D. Gamble
- 311 **Smith, Rae & Greer**,
25 Toronto st. J. F.
Smith, Q.C., G. M. Rae,
J. Greer, G. L. Smith
- 315 Smyth, R. G., 18 To-
ronto st

- 316 Smyth, W. R., 70 Vic-
toria st
- 317 **St. John & Ross**,
Temple Bldg. J. W.
St. John, D. C. Ross
- 319 **Stonehouse, Edward**,
10½ Adelaide st e
- 320 Strathy, J. R., 123 Sim-
coe st
- 321 Swayzie, B. E., 17 Ade-
laide e
- 322 Symons & Montgomery
15 Toronto st, H. Sy-
mons, Q.C., Jos. Mont-
gomery

T.

- 323 Taylor & McConnell, 13
Adelaide e. W. B.
Taylor
- 324 **Thompson, C. W.**, 702
Temple Bldg
- 325 **Thomson, Henderson
& Bell**, General
Trusts Bldg., 50
Yonge st. D. E.
Thomson, Q.C., D.
Henderson, G. Bell,
John B. Holden, W.
N. Tilley
- 326 Thomson, T. C., Medi-
cal Building
- 327 Thorne, H., Freehold
Loan Bldg.
- 328 Thurston, W. G., 23
Toronto st
- 331 **Tremear, W. J. &
Co**, 75 Yonge st.
- 332 Trow, A. E., Atty-
Gen'l Dept
- 333 Tytler, J., 10½ Ade-
laide st e

U.

- 334 **Urquhart & Urqu-
hart**, Med. Bldg. D.
Urquhart, T. Urqu-
hart

V.

- 335 Vandervoort, M. P., 18
Wellington e
- 334 Vickers & Co., 87 York
st. W. W. Vickers, W.
H. Hillbar

W.

- 337 Waldron & Hodges, 2
Toronto st. G. Wald-
ron, W. H. Hodges
- 338 **Watson, Smoke &
Smith.** National
Trust Bldg. Geo. H.
Watson, Q.C., S. C.
Smoke, J. G. Smith,
J. B. Noble, H. C. Os-
borne
- 339 Watt, D. H., 81 King
street e
- 340 Watt, H. L., Can.
Life Bldg
- 341 Wells & MacMurchy,
Union Station. Hon.
R. M. Wells, Q.C.,
Angus MacMurchy
- 342 Werrett & Thompson,
77 Victoria st. W. A.
Werrett, R. M. Thomp-
son
- 343 Welton, H. R., 1 To-
ronto st
- 344 White, J. P., 25 To-
ronto st
- 344a Whitehead, W. M.
(with Lobb & Baird)
- 345 Wickham, H.J. (special
examiner), 702 Temple
Bldg
- 346 Wickson, S., 8½ King e
- 347 Wilkie & Irving, 61 Vic-
toria st. G. Wilkie,
- 348 Williams, A. J., 28
Toronto st
- 349 Wood, S. G., 18 King
st w
- 350 Woods, S. B., 30 Vic-
toria st
- 351 Wright, J. A., 1 Ade-
laide e.

BARRISTERS AND SOLICITORS

Throughout the Province, with reference to Toronto Agents.

NOTE. To find the Toronto Agent, the number after name will refer you to name in Toronto List opposite the same number. Except when specified, the firm representing numbers, are Agents in all Divisions.

N.B.—H. O., "i.e." Head Office.

1 Toronto

A

- 2 **Acton**, Co. Balton
Mackinnon, A. J.-66
McLean & Co., 172
(H. O. Guelph)
- 3 **Ailsa Craig**, Co. Middlesex
Meredith & Co.-234
(H. O. London)
- 4 **Alexandria**, Co. Glen
garry
Macdonell & Costello
227, J. A. Macdonell,
Q.C., F. T. Costello,
Munro, M.-234
Smith, A. L.-266
Tiffany, E. H.-29
- 4a **Alfred**, Co. Prescott and
Russell
Evanturel, Alfred-126
- 5 **Alliston**, Co. Simcoe
Fisher & Bell-85, W.
G. Fisher, W. A.
Bell
Lennox & Co.-15
(H. O. Barrie)
McCarthy & Co.-205
(H. O. Barrie)
- 6 **Almonte**, Co. Lanark
Jamieson & Greig-15
H. Jamieson, A. M.
Greig
Kirkland, J. T.-338
McFarlane, M. J.-338
Stallford, W. H.-338
- 7 **Alvinston**, Co. Lan-
don
Bucke, E. T.
Hanna & Co.-15
(H. O. Sarnia)
- 8 **Amherstburg**, Co.
Essex
Clay, Henry-205
Davis & Davis, 256 D
R. Davis, F. H. Davis
Hough, F. A.-19
- 9 **Ancaster**, Co. Went-
worth
Kenrick, Edward
- 9a **Arkona**, Co. Lambton
Fitzgerald & Co.
(H. O. Watford)
- 10 **Arnprior**, Co. Renfrew
Craig, W. B.-78
Dulmage & Burwash-
15, R. Dulmage,
A. Burwash
Slattery, R. J.-240
Thompson & Hunt-
205, J. E. Thompson,
R. A. Hunt
- 11 **Arthur**, Co. Wellington
McMartin, M. M.-236
Wilkins, M.-66
- 12 **Athens**, County Leeds
Beall, Thos. R.
Lewis, W. A.-283
- 12a **Atwood**, Co. Perth
Hamilton, J. C.-29
- 13 **Aurora**, Co. York
Montgomery & Co.
(H. O. Toronto)
Lennox & Morgan
349, T. H. Lennox,
B. Morgan
Taylor, A. E.-69
- 14 **Avonmore**, Co. Storm-
ont
Ree, Chas. B.
(H. O. Chesterville)
- 15 **Aylmer**, Co. Elgin
Crawford & Crawford-
15, J. Crawford,
Haines, Alfred E.-247
Miller & Backhouse-
256, E. A. Miller,
A. H. Backhouse
Stevens, W. E.

B

- 16 **Barrie**, Co. Simcoe
Ault, W.-15
Dickinson, J.-341

- Hewson & Creswicke-
200. C. E. Hewson,
A. E. H. Creswicke
Hood & Jacks-19. Jno
Hood, J. Jacks
Lennox, Ardagh, Co-
wan & Brown-15. H.
Lennox, B. H. Ar-
dagh, A. Cowan, Geo
E. J. Brown
Lount & Lount-200.
G. W. Lount.
McCarthy, Boys &
Murchison-205. J. A.
McCarthy, W. A.
Boys, D.C. Murchison
Plaxton C. W.-256
Radenhurst, G. A.-15
Ross & Brokovski-15.
D. Ross, J. C. Brok-
ovski
Stewart & Stewart-15
H. D. Stewart, Dou-
glas Stewart
Strathy & Esten-29
H. H. Strathy, Q.C.,
G. H. Esten
- 18 **Beaverton**, County
Ontario
Godson, T. E.-159
Roach, M. H.-277
- 19 **Becton**, Co. Simcoe
Carpenter & Carpen-
ter-157. A. A. Car-
penter.
McCarthy & Co.-205.
(H. O. Barrie)
- 20 **Belle River**, Co.
Essex
Haldane, J. F. C.-190
(H. O. Windsor)
- 21 **Belleville**, Co. Has-
tings
Anderson, P. J. M.-157
Bell & Biggar-15 & 29
J. Bell, Q.C., W. H.
Biggar, Q.C.
Bogart, C.-338
Bull, S. J.-338
Butler, E. J.-240
Carnew, Wm.
**Clute, Williams &
Morden**-69. R. C.
Clute, Q.C., J. Wil-
liams, W. S. Morden
Denmark, G.
Diamond, W. J.-234
Donald, E.-27
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- 223 **Winchester**, County
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- 226 **Whitby**, Co. Ontario
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- 230 **Woodbridge**, County
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ONTARIO DIVISION COURTS.

INSPECTOR, J. DICKÉY, ESQ., PARLIAMENT BUILDINGS, TORONTO.

ALGOMA DISTRICT.

- 1.....Sault St. Marie
- 2.....Bruce Mines
- 3.....Thessalon
- 4.....Webbwood
- 5.....Chelmsford
- 6.....Richards' Landing

BRANT.

- 1.....Brantford
- 2.....Paris
- 3.....St. George
- 4.....Burford
- 5.....Scotland

BRUCE.

- 1.....Walkerton
- 2.....Teeswater
- 3.....Kincardine
- 4.....Paisley
- 5.....Port Elgin
- 6.....Underwood
- 7.....Invermay
- 8.....Wiarton
- 9.....Ripley
- 10.....Lion's Head
- 11.....Lucknow
- 12.....Chesley

CARLETON.

- 1.....Ottawa
- 2.....Richmond
- 3.....Carp
- 4.....Galeton
- 5.....Kars
- 6.....Metcalfe
- 7.....Mosgrove

DUFFERIN.

- 1.....Orangeville
- 2.....Shelburne
- 3.....Stanton
- 4.....Mono Mills
- 5.....Grand Valley

ELGIN.

- 1.....Aylmer
- 2.....St. Thomas
- 3.....St. Thomas
- 4.....Dutton

ESSEX.

- 1.....Sandwich
- 2.....Amherstburg
- 3.....Kingsville
- 4.....Oxley
- 5.....Leamington
- 6.....Belle River
- 7.....Windsor
- 8.....Essex
- 9.....Comber

FRONTENAC.

- 1.....Kingston
- 2.....Kingston
- 3.....Sydenham
- 4.....Verona
- 5.....Batterssea
- 6.....Sharbot Lake

GREY.

- 1.....Owen Sound
- 2.....Durham
- 3.....Meaford
- 4.....Heathcote
- 5.....Flesherton
- 6.....Chatsworth
- 7.....Hanover
- 8.....Markdale

HALDIMAND.

- 1.....Caledonia
- 2.....Cayuga
- 3.....Dunnville
- 4.....Rainham
- 5.....Canborough
- 6.....Jarvis

HALIBURTON.

- 1.....Minden
- 2.....Haliburton
- 3.....Ersa

HALTON.

- 1.....Milton
- 2.....Oakville
- 3.....Georgetown
- 4.....Acton
- 5.....Nassagaweya
- 6.....Burlington

HASTINGS.

- 1..... Belleville
- 3..... Shannonville
- 4..... Tweed
- 5..... Stirling
- 6..... Madoc
- 7..... Deseronto
- 9..... Trenton
- 10..... Marmora
- 11..... Maynooth
- 12..... Umfraville

HURON

- 1..... Goderich
- 2..... Seaforth
- 3..... Clinton
- 4..... Brussels
- 5..... Exeter
- 6..... Dungannon
- 7..... Bayfield
- 8..... Wingham
- 9..... Wroxeter
- 10..... Zurich
- 11..... Crediton
- 12..... Blyth

KENT

- 1..... Chatham
- 2..... Ridgetown
- 3..... Dresden
- 4..... Blenheim
- 5..... Wallaceburg
- 6..... Rothwell
- 7..... Fletcher

LAMBTON

- 1..... Sarnia
- 2..... Watford
- 3..... Florence
- 4..... Sombra
- 5..... Forest
- 6..... Thedford
- 7..... Mooretown
- 8..... Petrolia
- 9..... Alvinston

LANARK

- 1..... Perth
- 2..... Lanark
- 3..... Carleton Place
- 4..... Smith's Falls
- 5..... Pakenham
- 6..... Almonte

LEEDS & GRENVILLE

- 1..... Brockville
- 2..... Prescott
- 3..... Gananoque
- 4..... Kemptville
- 5..... Merrickville
- 6..... Phillippsville
- 7..... Toledo
- 8..... Newboro'
- 9..... Athens
- 10..... Spencerville
- 11..... North Augusta
- 12..... Caintown

LENNOX & ADDINGTON

- 1..... Napanee
- 2..... Bath
- 3..... Adolphustown
- 4..... Newburgh
- 5..... Centreville
- 6..... Odessa
- 7..... Tamworth

LINCOLN

- 1..... Niagara
- 2..... St. Catharines
- 3..... Smithville
- 4..... Beamsville

MANITOULIN ISLAND

- 1..... Gore Bay
- 2..... Little Current
- 3..... Manitowaning

MIDDLESEX

- 1..... London
- 2..... Parkhill
- 3..... Lucan
- 4..... Delaware
- 5..... Glencoe
- 6..... Strathroy
- 7..... Dorchester Station
- 8..... Arva
- 9..... London

MUSKOKA DISTRICT

- 1..... Bracebridge
- 2..... Gravenhurst
- 3..... Huntsville
- 4..... Port Carling

NIPISSING DISTRICT

- 1..... Sturgeon Falls
- 2..... Mattawa
- 3..... North Bay
- 4..... Sudbury
- 5..... Bonfield
- 6..... Warren
- 7..... Haileybury

NORFOLK

- 1..... Simcoe
- 2..... Waterford
- 3..... Windham Centre
- 4..... Ronson
- 5..... Vittoria
- 6..... Port Rowan
- 7..... Fairground
- 8..... Port Dover

**NORTHUMBERLAND
AND DURHAM**

- 1..... Bowmanville
- 2..... Newcastle
- 3..... Port Hope
- 4..... Millbrook
- 5..... Cobourg
- 6..... Grafton
- 7..... Colborne
- 8..... Brighton
- 9..... Warkworth
- 10..... Wooler
- 11..... Campbellford

ONTARIO

- 1..... Whitby
- 2..... Greenwood
- 3..... Port Perry
- 4..... Exbridge
- 5..... Cannington
- 6..... Beaverton
- 7..... Iptergrove

OXFORD

- 1..... Woodstock
- 2..... Drumbo
- 3..... Embro
- 4..... Norwich
- 5..... Ingersoll
- 6..... Tilsonburg

**PARRY SOUND DIS-
TRICT**

- 1..... Parry Sound
- 2..... McKellar P.O.
- 3..... Rosseau
- 4..... Burk's Falls
- 5..... Maganetawan
- 6..... Commanda
- 7..... Sundridge

PEEL

- 1..... Brampton
- 2..... Cooksville
- 3..... Caledon
- 4..... Bolton

PERTH

- 1..... Stratford
- 2..... Mitchell
- 3..... St. Mary's
- 4..... Shakespeare
- 5..... Milverton
- 6..... Listowel

PETERBOROUGH

- 1..... Peterborough
- 2..... Norwood
- 3..... Keene
- 4..... Lakelfield
- 5..... Apsley

PRESCOTT & RUSSELL

- 1..... L'Original
- 2..... Vankleek Hill
- 3..... St. Eugene
- 4..... Plantagenet
- 5..... Cumberland
- 6..... Russell
- 7..... Hawkesbury
- 8..... Fournier
- 9..... Alfred
- 10..... Clarence Creek
- 11..... Grant

PRINCE EDWARD

- 1..... Picton
- 2..... Milford
- 3..... Demorestville
- 4..... Ameliasburg
- 5..... Wellington
- 6..... Bloomfield
- 7..... Concession
- 8..... Wanpoos

**RAINY RIVER DIS-
TRICT**

- 1..... Rat Portage
- 2..... Fort Francis
- 3..... Vacant
- 4..... Vacant

RENFREW

- 1..... Pembroke
- 2..... Benchburg
- 3..... Renfrew
- 4..... Arnprior
- 5..... Shamrock
- 6..... Eganville
- 7..... Cobden
- 8..... Rockingham

SIMCOE

- 1..... Barrie
- 2..... Bradford
- 3..... Beeton
- 4..... Collingwood
- 5..... Craighurst
- 6..... Orillia
- 7..... New Lowell
- 8..... Alliston
- 9..... Penetanguishene
- 10..... Coldwater

STORMONT, DUNDAS
AND GLENGARRY

- 1..... Williamstown
- 2..... Alexandria
- 3..... Cornwall
- 4..... Dickinson's Landing
- 5..... Morrisburg
- 6..... Iroquois
- 7..... South Mountain
- 8..... Cryslar
- 9..... Bridge End
- 10..... Chesterville
- 11..... Strathmore
- 12..... Dominionville

THUNDER BAY DIS-
TRICT

- 1..... Port Arthur
- 3..... Fort William

VICTORIA

- 1..... Woodville
- 2..... Fenelon Falls
- 3..... Bobcaygeon
- 4..... Ononsee
- 5..... Lindsay
- 6..... Oakwood
- 7..... Victoria Road

WATERLOO

- 1..... Berlin
- 2..... Preston
- 3..... Galt
- 4..... New Hamburg

- 5..... Linwood
- 6..... St. Jacob's
- 7..... Ayr

WELLAND

- 1..... Welland Station
- 2..... Marshville
- 3..... Fort Erie
- 4..... Niagara Falls South
- 5..... Thorold
- 6..... Port Colborne

WELLINGTON

- 1..... Guelph
- 2..... Morriston
- 3..... Rockwood
- 4..... Fergus
- 5..... Erin
- 6..... Elora
- 7..... Drayton
- 8..... Arthur
- 10..... Harrison
- 11..... Mount Forest

WENTWORTH

- 1..... Hamilton
- 2..... Dundas
- 3..... Waterdown
- 4..... Rockton
- 5..... Stoney Creek
- 7..... Glanford
- 8..... Binbrook
- 9..... Hamilton

YORK

- 1..... Toronto
- 2..... Unionville
- 3..... Richmond Hill
- 4..... Newmarket
- 5..... Sutton West
- 6..... Lloydtown
- 7..... Woodbridge
- 8..... Toronto Junction
- 9..... West Hill
- 10..... Toronto

COUNTY AND JUDICIAL OFFICERS—ONTARIO, 1901.

Inspector of Legal Offices **JAMES FLEMING, Esq.,** Osgoode Hall, Inspector of Registry Offices **DONALD GUTHRIE, Q. C.,** Guelph.

NOTE—Communications to officials should be addressed to the official name of office, not the holder of office.

COUNTIES	COUNTY TOWNS	JUDGES	SHERIFFS	CLERKS OF PEACE AND CO. ATTORNEYS,	LOCAL MASTERS OF HIGH COURT	LOCAL REG. HIGH CT. DEPT. CLERKS REG. SUR.	REGISTRARS OF DEEDS.
ALBANY DISTRICT	Sault Ste. Marie	F. W. Johnston E. O'Connor, J. J.	W. H. Carney	J. J. Kehoe	F. W. Johnston	G. McE. Farwell	R. A. Lyon
BRANT	Brantford	Alex. D. Hardy	Wm. Watt, Jr.	A. J. Wilkes	A. D. Hardy	J. T. Hewitt	W. A. Wood
BRUCE	Walkerton	W. Barrett, J. J. A. E. Klein, J. J.	F. S. O'Connor	Thomas Dixon	W. A. McLean	W. A. McLean	D. Sinclair
CARLETON	Ottawa	D. B. MacTavish Wm. Mosgrove, J. J.	J. Sweetland	J. A. Ritchie	W. L. Scott	J. P. Leatherstout	Patrick J. Coffey
DE PUE	Orangeville	M. McCarthy	Thos. Bowles	Wm. J. L. McKay	M. McCarthy	John McLaren	Wm. McKim Henry Elliott, Port Hope, L. R. J. A. McLaughlin, Howmanville, W. R.
DE RUAM	Sec. Northam	berland					
ELGIN	St. Thomas	A. D. J. Hughes C. O. Frutiger	D. Brown	D. J. Donohue	Robert Miller	David McLaws	James Henry Coyne
ESSEX	Sandwich	C. R. Horne M. A. McHugh, J. J.	John C. Her	A. H. Clarke	J. F. Hare	F. E. Maroon	J. W. Askin
FRONTENAC	Kingston	C. V. Price	Thos. Dawson	J. L. Whiting	J. Mudie	Archibald McGill	Jas. D. Thompson
GUY	Owen Sound	John Cressor P. Morrison	C. H. Moore	A. G. McKay	John Cressor	John Cressor	R. McKnight, Owen Sound, N. R. Thomas Lander, Durham, S. R.
HASTINGS	Belleville	John M. Hamilton F. A. Lazier	R. H. Davis M. Clements	C. W. Colter, Q. C. Thos. G. Matheson	P. Duncan McMillan J. M. Hamilton	James Mitchell W. A. Lawrence	Jacob Baxter, Cayuga David Robertson
HURON	Goderich	E. E. Frazer, J. J. James Masson	George F. Hope R. G. Reynolds	P. J. M. Anderson Ira Lewis	S. S. Lazear B. L. Doyle	A. G. Northrup D. McDonald	H. W. Day, Belleville J. D. O'Connell Goderich.
KINGSTON (C)	Other Officials	after Frontenac					J. P. Gildersleeve, Deputy, Kingston
KENT	Chatham	Archibald Bell J. S. Woods, J. J.	John R. Gemmill	W. Douglass, Q. C.	C. J. O'Neill	Jas. Holmes	P. D. McKellar
LANARK	Sarnia	C. Robinson J. A. MacKenzie, J. J.	James Flintoff	J. P. Burke	John A. MacKenzie	W. R. Gemmill	Arch. Maclean
LANARK	Perth	W. S. Senkler	James Thompson	E. G. Malloch	W. S. Senkler	Chas. Rice	John Menzies, Almonte, N. R. J. J. Armour, Perth, S. R.
LEEDS AND GERRARD	Brockville	H. S. McDonald	G. A. Dana	M. M. Brown	H. S. McDonald	O. K. Fraser	W. B. Cole, Brockville J. W. McCann, Prescott
LESLIE AND GERRARD	Napanee	W. H. Wilkison	Geo. D. Hawley	H. M. Derocle	S. S. Lazear	W. P. Derocle	Stephen Gibson
LESLIE	St. Catharines	R. B. Carnon	Thos. C. Dawson	M. Brennan	F. W. McDonald	J. Cleuch	Hon. J. G. Currie
LONDON (C)	Gore Bay	McCallum, A. B.	E. H. Jackson	J. W. Cashman		W. C. L. Gill	London D. K. Springer

MIDDLESEX	{ Wm. Elliott	{ James Magee, Q.C.	Re. K. Cowan	John Macbeth	{ J. Waters, London, N. & E.R. ; S. Blackburn, Glencoe W. R.
MUSKOKA DISTRICT	{ Edward Elliott, J.J.	D. M. Cameron	James W. Bettes	Isaac Huber	{ J. E. Lount
NIPISSING DISTRICT	W. C. Mahaffy	James W. Carlin	H. C. Varin	J. A. Valin	{ A. G. Browning, Ex. off., North Bay.
NORFOLK	James A. Valin	Jos. Jackson	J. H. Anley	James Kobb	{ C. C. Rapelle
NORTHUMBERLAND AND DURHAM	{ T. M. Benson	Isaac O. Proctor	John W. Kerr	J. H. Dunble	{ Augustine J. Donly
ONTARIO	{ J. Ketchum, J.J.	N. McCrumm	John F. Paxton	J. E. Farewell, Q.C.	{ Albert E. Mallory, Colbn. E.R. ; F. W. Field, Cobourg, W. R.
OTTAWA (C)	{ D. J. McIntyre, J.J.	Other Officials	Jas. Brady	W. T. McMillen	{ G. W. Dryden
OXFORD	Alex. Finkle	Parry Sound	S. Armstrong	W. L. Haight	{ Alexander Furritt, Ottawa
PARRY SOUND DISTRICT	Duncan McGibbon	Stratford	John Hossie	J. Idington, Q.C.	{ James Canfield
PEEL	John A. Barron	Peterborough	C. A. Waller	Robert E. Wood	{ Ed. Jordan
PETERBOROUGH	Peter O'Brian	Pictou	Edward Merrill	J. Maxwell	{ Thomas Kennedy
PRINCE EDWARD	Edward Merrill	Rat Portage	T. W. Chapple	J. R. Brown	{ Kenneth Chisholm
RAINY RIVER DISTRICT	T. W. Chapple	Pembroke	John Deacon	J. H. Metcalf	{ W. C. Moscrip
RENFREW	{ John Deacon	Russell	Wm. Moffat	John Deacon	{ (D. D. Hay, N.R. ; P. Whelihan, St. Mary's, S.R.
RUSSELL	{ Thos. Deacon, J.J.	Other Officials after Prescott & R	Wm. Moffat	John Deacon	{ Bernard Morrow
SIMCOE	{ J. A. Ardagh	Barrie	Hon. Chas. Drury	J. K. Cotter	{ J. Higginson
STORMONT, DUNDAS AND GLENGARRY	{ W. F. A. Toys, J.J.	Corrwall	Alex. McNabb	James Dingwall	{ W. H. R. Allison, Q.C. ; W. Mackenzie
THUNDER BAY	J. R. O'Reilly	Port Arthur	A. W. Thompson	Thos. A. Corham	{ Frank J. Apjohn
TORONTO (C)	F. Fitzgerald	Lindsay	Frederick Mowat	J. W. Curry, Q.C.	{ W. A. Campbell
VICTORIA	{ W. W. Deay	Berlin	John Motz	A. P. Devlin	{ Samuel Lount
WATERLOO	{ Jno. E. Harding, J.J.	Welland	John Motz	W. H. Bowdoy, Q.C.	{ (C. J. Algonie, Cornwall ; T. McDonald, Morrisburg ; John Simpson, Alexandria
WELLAND	D. Chisholm	Wellsburg	James Smith	Thos. D. Cowper	{ J. M. Munro
WELLINGTON	Wm. W. Fitzgerald	Windsor	A. C. Chadwick	Thos. W. Peterson	{ C. Lindsey W. Toronto ; P. Ryan.
WESTWORTH	{ A. C. Chadwick	Windsor	Jos. Jamieson, J.J.	Thos. D. Cowper	{ J. D. Barr
YORK	{ Colin G. Snider	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ J. D. Moore
YORK	{ J. F. McDougall	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ J. E. Morin
YORK	{ E. Morgan, J.J.	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ A. McKinnon, L.R. ; J. Anderson, Arthur, N.R. ; S. Hignbotham, Cuelph, S.R.
YORK	{ F. M. Morison, J.J.	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ W. Carroll
YORK	{ J. F. McDougall	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ S. H. Ghent
YORK	{ E. Morgan, J.J.	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ R. K. Hope, Hamilton.
YORK	{ F. M. Morison, J.J.	Windsor	John F. Monck, J.J.	Thos. D. Cowper	{ J. A. M. Kess, C.C. ; J. J. Pearson, Newmarket, N.R.

* And Dep. Reg.

† Deputy Clerk of the Crown, Co. Court Clerk and Reg. Surrogate.

‡ Reg. Surrogate and Co. Court Clerk.

Local Reg. and Co. Clerk only.

SYNOPSIS OF THE LAWS OF ONTARIO.

Compiled by Messrs. Macdonald, Cartwright and Garvey, of Osgoode Hall, Barristers-at-Law, Toronto.

(Revised to January 1st, 1901.)

Arrest for Debt, Absconding Debtors—When a creditor has a claim of \$100 or over, and can show to the satisfaction of the Judge that he has such claim and that there is reasonable and probable cause for believing that the debtor is about to leave the Province with intent to defraud his creditors, an order for arrest may be granted.

Assignments—Must be made to the Sheriff of the County where the debtor resides or carries on business, unless the majority of the creditors having claims of \$100 or over consent to the appointment of some other person. The assignment must be filed within five days after execution, and notice inserted in the *Ontario Gazette* in the issue next after five days after execution; for default there is a penalty of \$25 per day. The assignor may be examined on a resolution of the creditors or inspectors, without the procuring of a judgment.

Bankruptcy—There is no bankruptcy law in this Province, but a debtor may make an assignment for the benefit of creditors and ensure a ratable distribution of his assets. Assignment not under this Act does not require to be made to the Sheriff.

Bills of Exchange and Promissory Notes—These are practically subject to the commercial law in respect to days of grace, notice and protest. Notes only bear interest from the date of maturity, and then at the legal rate, five per cent., unless the rate and time are expressly mentioned on the face. Loss of a bill or note does not prevent collection, but payee must be indemnified.

Bills of Sale and Chattel Mortgages—These must be registered within five days in the office of the County Court Clerk otherwise they are void as against creditors, except where there is an immediate delivery and an actual and continued change of possession of the property. There are special regulations regarding chattel mortgages and bills of sale in the territorial and provisional districts, both as to place of filing and time of filing. Affidavits of execution must now show the date of the execution of the mortgage, and where the affidavit of bona fides is made by an agent, or by an officer of an incorporated company, it must state that such agent or officer is acquainted with all the circumstances connected with the transaction. Chattel mortgages must be renewed yearly.

Conditional Sales of Chattels—When there is a sale of manufactured goods and possession is given, but the intention is that the ownership thereto shall not pass, a subsequent purchaser or mortgagee without notice in good faith for valuable consideration is put on enquiry as to whether they have been fully paid for, if the name and address of the manufacturer or vendor is painted, printed, or otherwise plainly attached thereto, but such sale is only valid as against such subsequent purchaser or mortgagee when evidenced in writing, signed by the original bailee or his agent. The above provision does not

apply to household furniture, nor to cases where the bailor or vendor within ten days from the execution of any receipt note, time receipt, order or other instrument evidencing the bailment or conditional sale, files the same or a copy thereof with the Clerk of the County Court, but pianos, organs or other musical instruments are not included in the term household furniture.

Contracts—Contracts for sale of goods over \$40 require part performance or to be in writing, otherwise they are void. Contracts made on Sunday (with few exceptions), and contracts contrary to public policy or of an immoral character, are illegal.

Courts, Jurisdiction of—In money claims on contract the jurisdiction of the Division Court extends to \$200 in liquidated claims, *i.e.*, those settled by acts or signature of the parties, and \$100 in unliquidated claims, that of the County Court to \$600 and \$200 respectively, and that of the High Court claims beyond these amounts; but the parties may agree in writing before the issue of the writ, that the County Court shall have jurisdiction in any cause or action for a liquidated claim.

Commissions—When a witness resides out of the Province an order may be made to take his evidence on commission.

Execution—In the County Court and High Court execution may issue immediately upon entry of judgment, unless stayed by order of the Court or Judge. Executions must be renewed before the expiration of three years from the date of the issuing thereof. In the Division Court, where the judgment is recovered for \$10 or upwards, exclusive of costs, a writ of execution may issue directed to the sheriff, and will bind the lands of the debtor in the same manner as executions issued from the higher courts. All executions issued in the County and High Courts are directed against both goods and lands. Lands cannot be sold for one year from the time the writ is delivered to the Sheriff, but debtors' lands are bound from date of delivery to the Sheriff. The interest of a person in a pew or sitting may be taken in execution and sold.

Exemptions—The exemptions from seizure under execution and distress are enumerated in the Revised Statutes, chap. 64, and consist generally of:—

- (1) Bed, bedding and bedsteads in ordinary use.
- (2) Necessary and ordinary wearing apparel.
- (3) One cooking stove with pipes, one heating stove with pipes, sewing machine, 30 vols. books, all spinning wheels and weaving looms, and a large number of articles of furniture, cooking utensils, etc., in all not to exceed the value of \$150.
- (4) All necessary fuel, meat, fish, flour and vegetables, not more than sufficient for ordinary consumption of debtor and family for 30 days, and not exceeding in value the sum of \$40.
- (5) One cow, 6 sheep, 4 hogs and 12 hens, in all not to exceed the value of \$75; also food for them for 30 days.
- (6) Tools and implements of, or chattels ordinarily used in the debtor's occupation, to the value of \$100; but a specific article claimed as exempt, and valued at over \$100, may be sold by the sheriff, if there are not other goods sufficient to satisfy the execution, and the amount bid for the article exceed \$100 and the cost of sale in addition.
- (7) Bees reared and kept in hives to the extent of fifteen hives.

On the death of the debtor these goods go to the widow and family, and the debtor, his widow or family, may select out of any larger number the chattels exempt from seizure.

Examination of Judgment Debtor—The judgment debtor may be examined as to his property at the time debt is incurred

and his disposal of the same, and in the higher courts the transferee may also be examined; any person in possession of property of the execution debtor may also be examined under order. On examination in the Division Court the Judge may order the debtor to pay the debt in such a way as he deems proper, and in default may issue an order for committal.

Fraudulent Conveyances—Conveyances in fraud of creditors are void. Preferences by insolvents are void. Conveyances by debtors attacked within sixty days or made within sixty days before an assignment for the benefit of creditors are presumed to be made with intent to defraud or prefer.

Garnishment—Debts due the debtor may be attached in the Division Court at the time of the issue of the summons, but in the County Court and High Court only after judgment. Debts due for wages or salary cannot be attached except as to any excess over the sum of \$25, and then only to the extent of the excess. Where, however, the debt has been contracted for board or lodging, and in the opinion of the Judge the exemption of \$25 is not necessary for the support and maintenance of the debtor's family depending, or where the debtor is an unmarried person having no family depending on him for support, the exemption does not apply. Notice served on the garnishee, if the debtor is unmarried, should state so.

Interest—The legal rate is five per cent., and where no agreement and interest is payable, that is the rate. Interest is allowed on any sum payable by virtue of a written agreement from the time when the sum becomes payable, and on accounts from the time when notice is given that interest will be charged.

Judgments—Where defendant does not defend, judgment may be entered in the higher courts ten days after service of the writ in the action. The practice provides in many cases for the procuring of speedy judgment after appearance where a proper case is made out in the Division Courts in default of appearance in ten, fifteen or twenty days after service, according to the residence of the defendant.

Limitation of Actions—Actions of account must be brought within six years—on contracts under seal, twenty years. Actions on the covenant on a mortgage made after 1st July, 1894, must be brought within ten years. Part payment will extend the time of action. Promissory notes and accounts are prescribed or outlawed in six years from the time they become due.

Married Women—Every contract hereafter entered into by a married woman otherwise than as an agent:

(a) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property, whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract, and it shall not be necessary in any proceeding to prove as a fact any separate property at the time when such contract was entered into or subsequently.

(b) Shall bind all separate property which she may at the time or thereafter possess or be entitled to; and shall also be enforceable by process of law against all property which she may thereafter while discovered possess or be entitled to.

The will of a married woman speaks from death.

Registry of Deeds—Instruments for registry must contain a sufficient description of the property mentioned, and the execution be verified by affidavit in proper form of a witness present at the time of signature. Deeds executed outside of the Province require the affidavit

of execution by the subscribing witness should be sworn before, if executed in Quebec:

(1) A Judge or Prothonotary of the Supreme Court or Clerk of the Circuit Court.

Or before a Commissioner authorized under the laws of Ontario to take in Quebec affidavits in and for any of the Courts of Record in the Province of Ontario.

Or before any Notary Public in Quebec, certified under his official seal.

(2) If made in Great Britain or Ireland, before a Judge of the Supreme Court of Judicature in England or Ireland, or of the Court of Sessions, or the Justiciary Court in Scotland.

Or before a Judge of any of the County Courts within his county.

Or before the Mayor or Chief Magistrate of any city, borough or town corporate therein, and certified under the common seal of the city, borough or town corporate.

Or before a Commissioner authorized to administer oaths in the Supreme Court of Judicature in England

Or before a Commissioner authorized by the laws of Ontario to take, in Great Britain or Ireland, affidavits in and for any of the Courts of Record of the Province of Ontario.

Or before a Notary Public certified under his official seal.

(3) If made in any British colony or possession, before a Judge of a Court of Record or of any Court of Supreme Judicature in the colony.

Or before the Mayor of any city, borough or town corporate, and certified under the common seal of the city, borough or town.

Or if made in the British possessions in India, before any magistrate or collector certified to have been such under the hand of the Governor of such possession.

(4) If made in Ontario, before the Registrar or Deputy Registrar of the county in which the land lies.

Or before a Judge of the Supreme Court of Judicature.

Or before the Judge of a County Court within his county.

Or before a Commissioner authorized by the High Court to take affidavits. Registration gives priority.

Wills—Must be in writing, signed at the foot by the testator in the presence of two witnesses, both present with him at the same time, and who in his presence and at his request, and in the presence of each other, sign their names as witnesses. A legacy or devise to a witness, or to the husband or wife of a witness, is void. An executor may be a proper witness. All wills are revoked by marriage. Except:

(a) When it is declared in will that same is made in contemplation of marriage.

(b) When the wife or husband of the testator elects to take under the will by an instrument in writing signed by the wife or husband, and filed within one year after the testator's death in the office of the Surrogate Clerk, Toronto.

(c) When the will is made in the exercise of power of appointment, and the real or personal estate thereby appointed would not, in default of such appointment, pass to the testator's heir, executor or administrator, or the person entitled as the testator's next of kin, under the Statute of Distributions.

A minor cannot make a valid will. There is now a succession duty payable on property passing on the death of the owner, made up on a scale provided for in the Act, according to the amount of the estate and the relations inheriting. In the administration of the estate of a deceased person, any person in the employment of the deceased at death, or one month prior thereto, shall have priority to the extent of three months' wages or salary over ordinary or general creditors.

INTESTACY.

PERSONALTY.

<i>If the Intestate die leaving: His personal representatives take thus, etc.:</i>	
Wife and child or children	One-third goes to wife, rest to child or children; if children dead, then to their lineal descendants, except such child or children (not heirs-at-law) who had estate by settlement of intestate or were advanced by him in his lifetime equal to the other shares.
Wife only	Half to wife; rest to next of kin, in equal degree to intestate, or their legal representatives, or if no next of kin, to the Crown. By R. S. O. 127, sec. 12, in the case of a man dying after the 1st of July, 1895, the widow is entitled to whole estate where it does not exceed \$1,000, and if it exceeds that amount, then she is entitled to \$1,000 absolutely, and takes her share in remainder of estate in addition.
No wife or child	All to the next of kin, and to their legal representatives.
Child, children or their representatives	All to him, her or them.
Children by two wives	Equally to all.
If no child, children or representatives	All to next of kin, in equal degree to intestate.
Child or grandchild by deceased child	Half to child, half to grandchild, who takes by representation.
Husband only	Half to him and half as if he had pre-deceased intestate.
Husband and child or children	One-third to husband and two-thirds to children.
Father and mother	Half to each.
Father, mother, brother or sister	Equally to all.
Mother and brother or sister	Whole to them equally.
Wife, mother, brother, sister, and nieces or nephews	Half to wife, residue to mother, brothers, sisters and nieces, but nephews and nieces take <i>per stirpes</i> .
Wife and father	Half to each.
Wife, mother, nephews and nieces	Two-fourths to wife, one-fourth to mother, and one-fourth to nephews and nieces.
Wife, brother or sister and mother	Half to wife, half to brothers and sisters and mother equally. (Stat. of Can. 11)
Mother only	The whole.
Wife and mother	Half to wife and half to mother
Brother or sister of whole blood, and brother and sister of half blood	Half to each.
Posthumous brother or sister, and mother	Half to each.
Posthumous brother or sister, and brother or sister born in lifetime of father	Half to each.
Father's father and mother's mother	Half to each.

Uncle's or aunt's children, and brother's or sister's grand- children	All equally.
Grandmother, uncle or aunt.....	All to grandmother.
Two aunts, nephew and niece.....	All equally.
Uncle and deceased uncle's child..	All to uncle.
Uncle by a mother's side, and de- ceased uncle's or aunt's child.)	All to uncle.
Nephew by brother, and nephew by half-sister	Equally, <i>per capita</i> .
Brothers or sisters, and nephews or nieces	Nephews or nieces take <i>per stirpes</i> , others equally.
Nephew by deceased brother, and nephews and nieces by deceased sister	Equally, <i>per capita</i> .
Brother and grandfather.....	All to brother.
Brother's grandson and brother or sister's daughter.....	All to daughter.
Brother and two aunts.....	All to brother.
Brother and wife	Half to each.
Mother and brother	Equally.
Wife, and mother, and children of deceased brother or sister..	Half to wife, one-fourth to mother, one-fourth to deceased brother's or sister's children <i>per stirpes</i> .
Wife, brother or sister, and children of deceased brother or sister.....	Half to wife, one-fourth to brother or sister <i>per capita</i> , one-fourth to de- ceased brother or sister's child <i>per stirpes</i> .
Brother or sister and children of a deceased brother or sister..	Half to brother or sister <i>per capita</i> , half to children of deceased brother or sister <i>per stirpes</i> .
Grandfather and brother.....	All to brother.

The fifth section of R. S. O. c. 127, enacts that the real and personal property, whether separate or otherwise, of a married woman in respect of which she dies intestate, shall be distributed as follows: One-third to her husband if she leaves issue, and one-half if she leaves no issue, and subject thereto shall go and devolve as if her husband had predeceased her.

REALTY.

Realty descends to personal representatives, whether the deceased died testate or intestate, since 1st July, 1886. In case of intestacy, to be distributed in the same way as personal estate, except as follows:

R. S. O. c. 127, s. 4, s.-s. 2: A widow is entitled to elect whether she will take dower or a distributive share of her deceased husband's real estate.

R. S. O. c. 127, s. 4, s.-s. 3: A husband entitled to curtesy may, by deed executed within six calendar months of his wife's death, elect to take curtesy in lieu of a distributive share.

R. S. O. c. 127, s. 6: The father, mother, brothers and sisters of an intestate dying without issue are to share equally in real and personal estate, to the exclusion of grandfather and grandmother.

R. S. O. c. 127, s. 13, ff. make provision for real estate not disposed of or conveyed by an executor or administrator within twelve months after decease of the testator or intestate, and for the registration by the executors or administrators, of a caution, to prevent its vesting in the heirs or devisees, in case it may be necessary for them to deal with it further in the fulfilment of their duties.

R. S. O. c. 127, ss. 56 and 57: Where an inheritance, or a share of an inheritance, descends to several persons, they shall take as tenants in common; and descendants and relatives of the intestate begotten before his death, but born thereafter, shall inherit in the same manner as if they had been born in his lifetime but had predeceased him.

Police Magistrates, Province of Ontario.

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- Princeton**—Kootenay
McIntosh, J. C.
- Quesnelle Forks**—Cario-
boo.
Murphy, James
- Revelstoke**—Yale
Harvey, McCarter &
Pinkham, J.A. Harvey,
G. S. McCarter, A. M.
Pinkham
Scott, J. M.
- Rosland**—Yale
Abbott & Hart-Mc-
Harg. J. L. G. Abbott,
W. Hart-McHarg,
Courtney, H. E. A.
Curtis, Smith.
Daly & Hamilton, Hon.
T. Mayne Daly, Q.C., C.
R. Hamilton, W. de V.
le Maistre.
Forin, P. McL.
Gilt, A. C.
Macdonald & Chute, J.
A. Macdonald, John S.
Chute, jr.
MacNeill & Deacon, A.
H. MacNeill, Q.C., W.
S. Deacon.
McLeod, F. M.
Nelson, W. J.
Whiteside, W. J.
- Sandon**—Kootenay
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Grimmett, M. L.
- Trail**—Kootenay
Leggatt, C. J.
- Vancouver**—New West-
minster
Alexander, H. O.
Bloomfield, E.
Boak, H. W. C.
Bowser, Godfrey & Co.
W. J. Bowser, J. J.
Godfrey, C. W. C.
Tabor.
Brown, W. C.
Brydon-Jack, A. C.
Cane, G. F.
Chaldecott, F. M.
Cowan, G. H.
Cutten, W. H.
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neill. E.P. Davis, Q.C.,
D. G. Marshall, C. B.
Macneill.
Duncan, H. J.
Hazel, N. F., Q.C.
Hall, Alfred
Hammersley, A. St. S.
Harris & Bull, R. W.
Harris, A. E. Bull.
Hunt, S. L.
Kappele, A. J.
Kenning, E. C.
Livingston & Garrett, S.
Livingston, A. E. Gar-
ret.
McPhillips & Williams,
L. G. McPhillips, Q.C.,
A. Williams
McEvoy, Arthur
Macdonell, D. G.
Martin & Deacon, Jas.
Martin, Q.C. E. J. Dea-
con.
Morley, H. L.
Punkett, Osborne,
Pottinger, A. B.
Russell & Russell, J. A.
Russell, F. R. McD
Russell
Spencer, O. L.
Taylor, Bradburn & Innes
A. D. Taylor, J. M.
Bradburn, A.W.V. Innes
Thompson, G. H.
Tiffin, F. W.
Tupper, Peters & Gil-
mour, Sir C. H. Tupper,
Q.C., Frederick Peters,
Q.C., W. A. Gilmour,
Wallbridge, D. S.
Walsh, W. W.
Wilson & Senkler. C.
Wilson, Q.C., J. H.
Senkler.
Wintemute, B. P.
- Vernon**—Yale
Billings, F.
Cochrane, W. M.
Macdonald, Allan

Victoria—Victoria

Belyea, A. L., Q.C.
 Bodwell & Duff, E. V.
 Bodwell, L. P. Duff, A.
 S. Innes, J. H. Law-
 son, jr.
 Cassidy, R.
 Cleland, H. M.
 Cornwall, F. T.
 Crease & Crease, Lindley
 Crease, A. D. Crease.
 Davey, Arthur

Davie, Pooley & Lux-
ton. C. E. Pooley, Q.C.
 A. P. Luxton

Drake, Jackson & Hel-
meken. H. D. Helmcken.
 Q.C., H. B. W. Aik-
 man.

Dumbleton & Anderson.
 A. S. Dumbleton, A. C.
 Anderson.

Eberts & Taylor, Hon. D.
 M. Eberts, Q.C., W. J.
 Taylor, Q.C.

Fell & Gregory, Thorn-
 ton Fell, F. B. Gregory.

Hall, H. G.
 Higgins, Frank
 Hills, H. M.

Hunter & Oliver. Gor-
 don Hunter, W. E. Oliver
 Kitto, A. J.

Lampman. P. S. (Sec'y.
 Law Society of B. C.)

Langley & Martin. W.
 H. Langley, A. F. R.
 Martin.

Lawson, H. G.

Macrae, F.

Macrae, J. K.

Mason & Bradburn, C.
 D. Mason, J. M. Brad-
 burn.

McGowen, Frank

McPhillips, Wootton &
 Barnard, A. E. Mc-
 Phillips, E. E. Wootton,
 G. H. Barnard.

Miller, T. M.

Mills, S. Perry, Q.C.

Pooley, T. E.

Powell, E. A.

Powell, G. E.

Robertson, H. E. B.

Schultz, S. D.

Smith, L. C.

Tupper & Peters, Sir C.
 H. Tupper, Q.C., Fred-
 erick Peters, Q.C.

Walls, J. P.

Yates & Jay, J. S. Yates,
 Geo. Jay.

White Horse

Elliott, R. T.

Wm.

Burne, J. F.

SYNOPSIS OF THE LAWS OF BRITISH COLUMBIA.

Compiled by Messrs. Wilson & Senkler, Barristers. Vancouver, B C
of the British Columbia Bar.

(Revised to January 1st, 1901.)

Abseonding Debtor—If any person resident in British Columbia, indebted to any other person to an amount exceeding \$100, departs from the province, with the intent to defraud his creditors, his goods are liable to seizure under a writ of attachment.

When a plaintiff has such a claim, and can show that the debtor has left the province to avoid being arrested or served with process, or to defraud the plaintiff, any Judge of the Supreme or County Court, according to jurisdiction, may direct a writ of attachment to issue, and may appoint in the order a time for the defendant to put in special bail, having due regard to the distance of the place where the absconding debtor is supposed to have gone.

Arrest—Process of contempt for non-payment of money is abolished, but when the plaintiff shows to the satisfaction of a Judge that he has a cause of action against the defendant for \$100 or upwards and that the defendant is about to leave the Province unless apprehended, the Judge may by special order direct the defendant to be held to bail for such sum as he shall think fit. Writ of Ca. Re. issues on such order. If bail not given, defendant remains in custody. After judgment the Judge may discharge defendant if satisfied of his inability to pay; Ca. Sa. after judgment on satisfying Judge, defendant about to leave Province with intent to defraud his creditors but will be discharged if he shows inability to pay.

The County Court has the same powers of arrest as the Supreme Court within its jurisdiction.

Assignment for Benefit of Creditors—An assignment may be made of all real and personal property to any person, for the purpose of ratably satisfying creditors; it takes effect when deposited in the Land Registry Office in the District in which the debtor resides, to be recorded; it must also be recorded in each of the Land Registry offices of the province; it is also necessary that notice of the assignment should be published in the *British Columbia Gazette* and in a daily newspaper for one month.

The assignee may be removed by any Judge of the Superior Court on the application of a creditor, on petition supported by an affidavit. All questions arising at creditors' meetings are decided by a majority of votes given by the Act on a sliding scale, according to the amounts of the claims.

Bills of Sale and Chattel Mortgages—Bills of Sale of personal chattels remaining in the possession of a grantor must be verified by affidavit and registered within twenty-one days of the date of execution, or they are void as against the assignees of the estate of the grantor and sheriff's officers and others seizing goods in execution and as against subsequent purchasers and mortgagees in good faith for valuable consideration.

Hire and purchase agreements require registration the same as bills of sale. If the bill of sale be made, or given subject to any defence, condition or declaration, not contained in the body thereof, it is null and void to all intents and purposes as against the same persons as if it had not been filed.

Joint Stock Companies—The Statute relating to this subject repealing all former enactments relating to the organization of Joint Stock Companies is founded on the Imperial Acts 1862 to 1897.

The liability of a shareholder may be limited to the amount of shares; limited by guarantee, or unlimited.

Mining Companies may be incorporated without any personal liability.

Courts The Courts are the Supreme and County.

There are five Judges of the Supreme Court who singly exercise the functions of Courts of first instance and collectively sit as a Court of Appeal. The jurisdiction is unlimited.

The County Court has common law jurisdiction in all personal actions where the debt or damages claimed does not exceed \$1,000, save malicious prosecution, libel or slander, criminal conversation, seductions, breach of promise of marriage, and against a J. P. for anything done by him in the exercise of his office. Equitable jurisdiction when amount involved does not exceed \$2,500.

There is also a Small Debts Court presided over by a Stipendiary Magistrate having jurisdiction in actions of debt to the amount of \$100.

Judgments In the Supreme Court, where the writ of summons is endorsed for a liquidated demand, and the defendant fails to appear within eight days thereto, the plaintiff may enter final judgment for any sum not exceeding the sum endorsed on the writ, together with interest, at the rate specified. Speedy judgment can also be obtained where a proper case can be made out that the defendant is only attempting to delay by his appearance, and has no good defence.

Judgment in the County Court can be signed, in default, after nine days from the service of the summons, if for a liquidated demand, and speedy judgment obtained as in the Supreme Court.

Enforcement of Judgment—Execution against goods issued forthwith after judgment. The judgment on being registered is a lien on the debtor's lands and application must be made to a Judge for leave to sell so much as will satisfy the judgment.

The goods of the debtor are exempt from forced seizure and sale to the amount of \$500, and homestead lands to the value of \$2,500.

The judgment debtor may be compelled to submit to a rigid examination as to the property he had at the time debt was incurred, and as to property he still has and any disposal since debt incurred and may be committed for unsatisfactory answers.

A judgment for the recovery of any property other than lands money may be enforced by writs for the delivery of the property, of attachment or sequestration.

In the County Court execution may issue forthwith after judgment against goods, and against lands thereafter, by special order, as if in the Supreme Court.

Garnishment—Debts due to the defendant may be attached in the County Court at the time of the issue of the summons; the Judge may, however, allow sufficient to a judgment debtor to maintain him and family, but not to exceed \$40 a month.

In the Supreme Court debts due to the defendant can only be attached after judgment.

Interest—Subject too delicate to be disposed of briefly but generally freedom of contract prevails. Judgment debts bear interest at the rate of 5 per cent. per annum.

Laws—The Civil Laws of England, as the same existed on the 19th day of November, 1858, and so far as the same are not from local circumstances inapplicable, are in force: Provided, however, that the said laws shall be held to be modified and altered by all legislation, still having the force of law of the Province of British Columbia or of any former colony comprised within the geographical limits thereof.

Limitation of Action—Actions founded on simple contract must be commenced within six years after cause of action arose; trespass, assault, battery, wounding and imprisonment 4 years; slander, 2 years; recovery of land, 20 years; specialty debts, 20 years.

Married Woman—May now contract, hold and enjoy property real and personal, in the same manner as if unmarried; and may also sue and be sued with reference to such separate estate.

Mining Law—These are comprised in Legislative enactments, too numerous to detail in a short space.

Generally—Any person over 18 years of age may become a free miner and prospect and locate mining claims.

Claims upon which mineral has been found can be located by a free miner. The size of the claim 1,500 feet in length by 1,500 feet in breadth, in as nearly as possible a rectangular form, marked by two posts 1,500 feet apart, as near on the vein or ledge as possible, upon which shall be written the name of the claim, the name of the locator and the date of location; also on No. 1 post the approximate compass bearing of No. 2 post, and a statement of the number of feet lying to the right and left of the line between the posts.

A Crown grant may be obtained on showing that a certificate of work to the amount of \$100 in each year for five years has been received, or it may all be done in one year, or \$500 cash paid to the Crown.

Leases of land for hydraulic and placer mining are also issued.

Mining companies can be formed with limited liability.

Coal prospecting licenses are issued; but coal now goes to the grantee of the land, subject to a royalty.

Registration of Land—The system of registration has some of the features of the Torrens System providing for registration of title to land; every estate or interest in land other than fee simple being registered as a charge; charges take effect according to priority of application for registration. Purchaser for value of registered interest in real estate is not affected by any notice of any unregistered title other than a leasehold interest in possession for 3 years. Certificate of Registration *prima facie* evidence of title. Indefeasible title may be obtained after seven years registration.

Act introducing Torrens System passed at Session of Legislature 1899, to be introduced by proclamation.

Land Not exceeding 320 acres east of Cascade Range of mountains and 160 acres west, may be preempted by widow, head of family or any person over 18 years of age and on performance of statutory duty afterwards purchased for \$1.00 per acre.

Education Compulsory between ages of seven and twelve, subject to some exemption. Free Public and High Schools.

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



MANITOBA.

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MANITOBA.

Courts, Judiciary Officials, Etc.

COURT OF QUEEN'S BENCH.

Chief Justice:

Hon. Sir A. C. Killam.

Puisne Judges:

Hon. J. Dubuc, Hon. A. E. Richards, Hon. J. F. Bain.

Attorney-General:

Hon. Hugh John Macdonald.

Chief Clerk—Geo. Patterson.

Prothonotary and Clerk of the Crown and Pleas and Deputy Reg. Exchequer Court.

—G. H. Walker.

Deputy—Aug. Mills

Chamber Clerk—A. J. Belch

Master and Referee—P. A. Macdonald

Registrar—R. J. Wilson

Accountant and Deputy-

Registrar—John Y. Cain

Sheriff—Hon. Colin Inkster

Court Stenographers—W. Perkins, Jas. Perkins

Crier and Interpreter—J. C. Delorimer

Official Administrator—G. Patterson

Judges and Officers of the County Courts.

DIVISION.	JUDGE.	ADDRESS.
Northern Division.....	D. M. Walker.....	Winnipeg.
Eastern Division.....	Jas. E. P. Prendergast.....	
Central Division.....	L. A. Prud'homme.....	St. Boniface.
Southern Division.....	Corbet Locke.....	Morden.

CENTRAL JUDICIAL DISTRICT.

Judge and Deputy Master under Q. B. Act, 1895.

J. Ryan, Portage la Prairie.

Deputy Clerk of the Crown and Pleas and County Court Clerk:
John Macdonald.

Sheriff:

Daniel McLean.

Deputy:

R. H. Home.

Official Administrator:

L. R. Marlatt.

WESTERN JUDICIAL DISTRICT.

Judge and Deputy Master under Q. B. Act, 1895.

T. D. Cumberland, Brandon.

Deputy Clerk of the Crown and Pleas and County Court Clerk:
Robert Darrach.

Assistant Dep. Clerk:

L. J. Clement.

Sheriff:

Stephen Clement.

Official Administrator:

R. M. Matheson.

County Judges' Criminal Courts.

Courts held at Winnipeg, presided over by Judges of Court of Queen's Bench, and at Portage la Prairie and Brandon, presided over by Judges of the Courts for Central and Western Judicial Districts, respectively.

THE LAW SOCIETY OF MANITOBA.

President:

William E. Perdue.

Treasurer: A. Haggart, Q.C.*Secretary:* J. H. Munson, Q.C.*Librarian:* W. A. Taylor.

BENCHERS OF THE LAW SOCIETY OF MANITOBA.

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LIST OF BARRISTERS, SOLICITORS, ETC.

Birtle—Shoal Lake

Mickle & Tingley, C. J.

Mickle, A. R. Tingley.

Boissevain—Turtle M't'n

Buckingham, N. P.

Morrow, J.

Brandon—Brandon

Adolph, H. L.

Clement & Clement, S. E.

Clement, R. A. Clement

Coldwell & Coleman.

G. R. Coldwell, Q.C.

G. B. Coleman.

Cooper, D. H.

Henderson, Matheson &

Ingram, H. E. Hen-

derson, R. M. Mathe-

son, B. Ingram.

Kirchoffer, J. N.

Macdonald & Macdonald.

W. A. Macdonald, Q.C.

R. G. Macdonald, B.A.

Peterson, A. M.

Philp & Cameron, A. E.

Philp, A. D. Cameron.

Carberry—Norfolk

Barrett, G.

Hunt, J. D.

Carman—Dufferin

Edwards, C. H.

Haverson, J. H.

Kennedy, T. S.

Robinson & McArthur.

F. J. McArthur, H. E.

Robinson

Dauphin—Marquette

Harvey, J. G.

Maughan & Campbell, J.

A. Maughan, C. Camp-

bell.

Deloraine—Turtle M'tain

Mather, J. A.

Paterson, Geo.

Emerson—Manchester

Forrester, David.

Fraser, W. A.

Gladstone—Westbourne

Claxton, G.

Glenboro'—Norfolk

Mitchell, Frank H.

Hamiota—Shoal Lake

Jackson, M. B.

Hartney—Turtle Mountain

Hallam, G. S.

Holland—Norfolk

Dixon, R. L.

Killarney—Turtle M'tain

Hay, A. G.

Metcalfe & Sharpe, T.

L. Metcalf, E. E Sharpe

Monteith, G. B.

Mauniton—Dufferin

Bradley, G. F.

Ellis, W. F.

Melita—Souris

Crcrar, John

Millwood—Marquette.

Chapman, F.

Minnedosa—Minnedosa

Curran, J. P.

Myers, R. H.

Pearson, E. W.

Morden—Dufferin

Bowen, A. W.

Lemgn, H. S.

McLaren, McLeod &

Black, J. B. McLaren,

A. McLeod, J. H. Black.

McConnell, H. McK.

Neepawa—Beautiful Plains

Davis & Fieldhouse, F.

L. Davis, A. H. Field-

house.

Howden, Jas. H.

Wemyss, J.

Oak Lake—Dennis

Manbey, W. J.

Pilot Mound—Lascar.

Donnld, W. A.

Lyons, C. S.

Portage la Prairie —

Portage la Prairie

Anderson & Ormond. E.

Anderson, H. Ormond.

Cooper & Taylor. W. J.

Cooper, Q.C., J. A.

Taylor.

James, W. J.

Macdonald & Hyndman.

D. A. Macdonald, J. A.

Hyndman.

Wright, S. R.

Rapid City—Minnedosa

Nelles, R. A.

Souris—Brandon

Acheson, H.

Taylor, J. A.

St. Jean Baptiste—Pro-
vencher

Buron, E. J. P.

Stonewall—Lisgar

Coleman, W. W.

Virden—Dennis

Agnew, J. H.

Goulter & Singer, H.

H. Goulter, Jos. Singer.

Wawanesa—Brandon.

Ingram, J. H.

West Selkirk—Lisgar

Heap & Heap, J. & F.

Heap.

O'Reilly, John.

Winnipeg—Winnipeg

Aikens, Culver & Pit-

blado, J. A. M.

Aikins, Q.C., W. H.

Culver, Q.C., I. Pit-

blado, W. F. Hull, G.

D. Minty.

Andrews, Andrews &

Maulson, A. J. An-

drews, F. Andrews, H.

F. Maulson, J. Bernier.

Archibald, Machray &**Sharpe.** H. Archibald,

J. A. Machray, F. J.

Sharpe.

Baker, G. W.

Bearisto, Wm.

Bonnar & Hartley. R. A.

Bonnar, T. L. Hartley.

Bradshaw, C. W.

Cameron & Phillips, J.

D. Cameron, H. Phillips.

Campbell & Crawford, C.

H. Campbell, Q.C., H.

E. Crawford, Q.C.

Carbert, C. E.

Chaffey, B. E.

Dawson & Graham, Alex.

Dawson, J. Graham.

Dubuc, A. J. H.

Ewart, Fisher & Wil-**son.** J. S. Ewart, Q.C.,

J. Fisher, Q.C., C. P.

Wilson, J. F. Fisher, A.

Ewart.

Elliott, G. A.

Haggart & Whittla, A.

Haggart, Q.C., H. W.

Whittla.

Haney, J. R.

Hough & Campbell, J. S.

Hough, Q.C., Isaac

Campbell, Q.C.

Howard, G. R.

Howell & Mathers. H.

M. Howell, Q.C., T. G.

Mathers.

Huggard & Crichton, J.

T. Huggard, W. N.

Crichton.

Leech, J. H.

McKercher & Forres-

ter, D. W. McKercher,

D. Forrester.

McMeans, L.

McPherson & Saunderson.

A. N. McPherson,

H. H. Saunderson.

Metcalf & Sharpe, T. L.

Metcalf, E. E. Sharpe.

Morice, J. D.

Mulock & Roberts, W.

R. Mulock, Q.C., J. T.

Roberts.

Munroe & West, G. F.

Munroe, G. H. West

Munson & Allan, J. H.

D. Munson, Q.C., G. W.

Allan, A. B. Hudson.

Nason, H.

Nugent, Frank S.

Perdue & Rothwell, W. E.

Perdue, S. J. Rothwell.

Robinson, Thos.

Royal, C. H.

Sutherland, R. R.

Taylor, E. L.

Tupper, Phippen &**Tupper.** J. S. Tupper,

Q.C., F. H. Phippen,

W. J. Tupper, G. C.

McTavish.

Thomson, R. M.

Turnbull, H.

Vivian, H.

SYNOPSIS OF THE LAWS OF MANITOBA.

Compiled by Archibald, Machray & Sharpe, Barristers, Winnipeg,
of the Manitoba Bar.

(Revised to January 1st, 1901.)

Arrest—IN QUEEN'S BENCH—No person can be arrested or held to bail for debt or for non-payment of money.

IN COUNTY COURT—The defendant may be summoned to attend for examination as a judgment debtor, and if he refuse to attend or to be sworn, or to answer, or if it appear by his own or other evidence that he obtained credit or incurred the debt by false pretences, or by fraud or breach of trust, or that he contracted the debt without reasonable expectation of being able to pay it, or that he has fraudulently disposed of his property, or if it appear that the party, when summoned, or since the judgment was obtained, had sufficient means or ability to pay the debt all at once or by instalments which the Court has ordered to be paid, and the debtor has neglected or refused to pay at the time and in the manner ordered, the Judge may imprison the debtor for any period not exceeding forty days with or without hard labor, but this shall not discharge the debt.

Attachment—No writ of attachment now issues, but an Order for attachment may be obtained in an action commenced by a Statement of Claim. Such Order will issue in case of a debtor being an inhabitant of the Province, who departs therefrom with intent to defraud his creditors or those having cause of action against him, or to avoid being arrested or served with process, or who keeps himself concealed in the Province with a like intent; or in the case of a non-resident debtor, when he is legally liable to a resident creditor on a contract or obligation to be performed in the Province or liable to be compensated for in damages; or when the debtor, whether resident or non-resident, is about to transfer or remove any of his property from the Province, or has already done so, with intent to delay, defeat or defraud his creditors or those having cause of action against him. The Order for Attachment from the time of its delivery to the Sheriff binds all the goods and chattels of the person against whom the same is issued not exempt from seizure under execution, or from liability to answer a judgment upon the cause of action upon which the Order issued. A certificate of the issue of such Order of Attachment can be registered in any Registry Office and bind the interest of the person against whom the Order issued in all lands in such district.

Bankruptcy—There is no Bankruptcy Law in this Province, but a debtor may make an assignment for the benefit of his creditors, and insure a ratable distribution of his assets.

Bills of Sale and Chattel Mortgages—Sales and mortgages of personal property not accompanied by an immediate delivery and followed by an actual and continued change of possession, are absolutely void as against creditors of vendor and mortgagor, and subsequent purchasers or mortgagees in good faith for value without actual notice,

unless a bill of sale or mortgage or a true copy of the mortgage be filed with the clerk of the County Court in the Judicial Division where the goods and chattels are situate, within fifteen days from the execution thereof, accompanied by an affidavit of execution, and an affidavit of the vendee or mortgagee showing the good faith of the transaction. Such mortgage must be renewed within 30 days preceding the expiration of two years from date of filing, by filing a statement exhibiting the interest of the mortgagee in the property, and showing the amount due and payments made, and that the mortgage is not kept on foot for any fraudulent purpose, otherwise it will cease to be valid as against creditors and subsequent purchasers and mortgagees in good faith for valuable consideration.

Courts and Jurisdiction—**QUEEN'S BENCH**—Is a Court of Record of original and appellate jurisdiction, and possesses all the jurisdiction, powers and authorities in all matters civil and criminal whatsoever, which, by the laws of England, were on the 15th day of July, 1870, possessed and exercised or incident to the Court of Chancery in England, and by Superior Courts of Common Law at Westminster, and by the Court of Chancery at Lincoln's Inn, and by the Court of Probate, and by any Court in England having cognizance of property and civil rights and of crimes and offences; and holds plea in all, and all manner of actions, and decides all matters of controversy relative to property and civil rights.

Procedure and rules of evidence are regulated by the rules of evidence and modes of practice and procedure as they existed in England on the 15th of July, 1870, except as altered by Provincial statute and rules of Court. By Provincial statute, "The Queen's Bench Act, 1895." The Rules of Procedure and Practice are made practically identical with the Judicature Act and rules in England and Ontario, with one step in advance, namely, the writ of summons is abolished and actions are commenced by statement of claim, to which defence must be delivered, if served in Manitoba, within sixteen days, and within four weeks if served in other parts of Canada or United States, within eight weeks if served in Great Britain, within twelve weeks if served elsewhere. The Court is composed of a chief justice and three puisne judges, three of whom sit as a Court of Appeal four times a year, which is the highest Court of Appeal in the Province, and appeals therefrom may be had to the Supreme Court of Canada.

County Court—Has jurisdiction in all actions of tort where the damages claimed do not exceed \$250, and in replevin where the value of the goods does not exceed \$250, and in all personal actions for claims and demands of debt account, breach of contract, covenant or money demands to the extent of \$400; but have no jurisdiction in actions for gambling debts, or for price of liquor drunk in a hotel; or where the title to land is called in question, or the validity of any will is called in question, or in any action for malicious prosecution, libel, slander, etc., or actions against Justices of the Peace. The procedure is simple and inexpensive, and debtors may be ordered to pay the debt at a stated time or times, and in default be committed to gaol as for contempt (see arrest).

Evidence—All parties can testify upon oath (or affirmation, if oath objected to); husband and wife also, except in criminal cases. In suits against personal representatives, evidence as to matters prior to death must be corroborated.

Execution—IN **QUEEN'S BENCH**—Execution issues on judgment forthwith, or at any time within six years, without leave. After six years leave must be obtained.

IN COUNTY COURT—Issues six days after judgment, or immediately on Judge's order.

Priority of claim in respect of writs of execution is abolished. The Sheriff distributes all moneys realized by him on writs of execution ratably among the persons having unsatisfied executions in force in his hands at the expiration of three months from the publication by him of a notice in the *Manitoba Gazette*. Such notice must be published within one month after the realization.

Exemptions—Following property is exempt from seizure under executions:—

(a) Bed and bedding, household furniture and effects in use of debtor and his family to the value of \$500.

(b) Ordinary clothing of debtor and his family.

(c) Twelve volumes of books, the books of a professional man, an axe, saw, gun and six traps.

(d) Necessary food for debtor and his family for thirty days.

(e) Three horses, mules or oxen, six cows, ten sheep, ten pigs, fifty fowls and food for same for eleven months. Exemption as to horses over four years of age . . . applies only in case they are used by the debtor in earning his living.

(f) Tools, agricultural implements and necessities used by debtor in practice of his trade, profession or occupation, to the value of \$500.

(g) Articles of furniture necessary to performance of religious service.

(h) The land upon which the debtor and his family actually reside, and which he cultivates or uses for grazing or other purposes, to the extent of 160 acres.

(i) The house, stables, barns and fences on the debtor's farm.

(j) All necessary seeds or roots for the seeding and cultivation of 80 acres.

(k) The actual residence or home of any person other than a farmer to the value of \$1,500.

(l) The debtor cannot by any contract or bargain, whether under seal or otherwise, deprive himself of his right to exemptions. Every contract or agreement to that effect is by statute made null and void.

(m) Sheriffs and bailiffs are prohibited from seizing anything exempted by statute. Insurance on exemptions is also exempt.

Garnishment—In both Queen's Bench and County Court, plaintiff may in all actions (as well damages as actions of debt, etc.), *at any stage of the action*, garnish all debts, obligations and liabilities due, owing and payable or accruing due. Provided that the wages or salary of a mechanic, laborer, servant, clerk or employee to the extent of \$25 are exempt from garnishment, and only the excess over \$25 can be garnished.

Interest Legal rate, 5 per cent. Any rate can be agreed upon and collected.

Life Insurance LIFE INSURANCE FOR BENEFIT OF WIVES AND CHILDREN. May be effected by parents, or insurance already effected may be appropriated to his wife and children and may be apportioned amongst them. Such insurance is not liable for parents' debts at his or her death, but may be revoked.

Limitation of Actions—Actions must be brought within six years on open account, promissory note, simple contracts, etc.; within ten years on judgments and on mortgages and on money charged in any way on land; or within the like time in either case from the last payment on account or acknowledgment in writing signed by the party chargeable, or his duly authorized agent.

Married Women—May hold and enjoy property free from the debts and control of their husbands in as full and ample a manner as if unmarried, and may contract with respect to their separate property, and may also trade and carry on business as if unmarried.

THERE IS NO DOWER, but the wife takes the same right in land of her deceased husband as if it were personal property; that is, if he dies intestate leaving issue, she takes one-third of his whole estate, real and personal, absolutely, and the children the other two-thirds in equal shares; if the husband leaves no issue, then the wife takes the whole of his property.

Registration—Registry laws are in force, and the title to all lands may be registered, and if so registered documents take priority over unregistered unless there is actual notice of the prior unregistered instrument of title.

Affidavits of execution for the purpose of registration may be made before the following persons:

(a) If made in Manitoba it may be before—

(1) Any person authorized to take affidavits in the province; or before—

(2) The Registrar or Deputy-Registrar of the district in which the lands lie; or before—

(3) Any Justice of the Peace for the Province.

(b) If made in any of the other provinces of the Dominion or in Great Britain or Ireland, it may be made before—

(1) A Judge of any of the Superior Courts of law or equity therein; or before—

(2) A Judge of any of the County Courts within his district; or before—

(3) The Mayor or Chief Magistrate of any city or borough or town corporate therein, certified under the common seal of such city, borough or town corporate; or before—

(4) Any Notary Public, certified under his official seal; or before—

(5) A Commissioner for taking affidavits outside the province to be used in the province.

(c) If made in the North-West Territories of the Dominion of Canada or in the District of Keewatin, it may be made before—

(1) A Judge of any Court or Police Magistrate; or before—

(2) A Commissioner authorized to take affidavits for use in said territories or district, or for use in this province; or before—

(3) Any Notary Public under his official seal, or any Justice of the Peace.

(d) If made in British possessions in India, it may be made before any magistrate or collector, certified to have been such under the hand of the Governor of such possession.

(e) If made in any other British colony or possession, it may be made before—

(1) A Judge of a Court of Record, or of any Court of supreme jurisdiction therein; or before—

(2) The Mayor of any city, borough or town corporate, and under the common seal of such city, borough or town; or before—

(3) Any Notary Public, certified under his official seal,

(f) If made in any foreign country it may be made before—

(1) The Mayor of any city, borough or town corporate of such country, and under the common seal of such city, borough or town corporate; or before—

(2) Any Consul or Vice-Consul of Her Majesty resident therein; or before—

(3) A Judge of a Court of Record or a Notary Public, under his official seal.

What is commonly known as "The Torrens System" of titles is also in force, and all lands may be brought under the system. On the title being investigated and found good, a certificate of title is issued which is absolute and indefeasible and cannot be questioned except for fraud.

Wills—All persons of sound mind and of the age of 21 years may dispose of every kind of property and of every interest therein by will, which must be in writing, signed at the foot or end thereof by the testator or by some other person in his presence and by his direction, and the signature shall be made or acknowledged in the presence of two or more witnesses present at the same time, and the witnesses must attest and subscribe the will in the presence of the testator, except a holograph will, wholly written and signed by the testator himself, which is not subject to any particular form and does not require any attesting witnesses.

INTESTACY—Real and personal property devolve in same way.

(1) If intestate leave a widow and child or children, one-third of his whole estate goes to widow and the remaining two-thirds to his child or to his children in equal shares, children of a deceased child (or, failing such, the lineal descendants of deceased child), take share of deceased child. If all descendants are of same degree of kindred they take equally—otherwise according to the right of representation.

(2) If intestate leaves a widow and no issue, the widow takes all.

(3) If intestate leaves father, but no widow or child, father takes all.

(4) If intestate leaves children, but no widow, children take all *per stirpes*.

(5) Child advanced during life of intestate must abate *pro rata*.

(6) No distinction between whole blood and half blood.

(7) Posthumous child, when there is a will and no provision for it, takes as if there were an intestacy.

(8) The separate property of a married woman dying intestate is distributed in the same manner as the property of a husband dying intestate.

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



NEW BRUNSWICK.

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NEW BRUNSWICK.

Court, Judiciary Officials and Barristers.

SUPREME COURT OF JUDICATURE FOR NEW BRUNSWICK.

Chief Justice:

The Hon. William Henry Tuck.

Justices—Hon. D. L. Hammington, Hon. F. E. Barker, Hon. P. A. Landry, Hon. E. McLeod, Hon. Geo. F. Gregory.

Judge in Equity:

Hon. Fred. E. Barker.

Clerk of the Pleas and Clerk in Equity—T. Carleton Allen, Fredericton

Deputy Clerk in Equity—R. R. Ritchie, St. John

COURT OF VICE-ADMIRALTY.

Judge:

Hon. E. McLeod.

Deputy Judge:

Vacant.

Registrar and Scribe.

Robt. O. Stockton.

Surrogate:

G. Sydney Smith.

Marshal:

Thos. C. Humbert.

JUDGES AND REGISTRARS OF THE PROBATE COURTS.

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Carleton.....	L. P. Fisher.....	Frank D. Carvell.
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Gloucester	Narcisse A. Landry	J. E. O'Brien.
Kent	Hy. H. James.....	C. Richardson.
Kings	G. G. Gilbert, Q.C.....	Robt. Morison.
Madawaska	Rainsford Balloch	Aaron Lawson.
Northumberland	Samuel Thompson, Q.C.	G. B. Fraser.
Queens	A. W. Ebbett	John W. Dickie.
Restigouche	Hy. McLatchey	John Barbarie.
St. John.....	Arthur I. Trueman	John McMillan.
Sunbury.....	Geo. L. Brown.....	Enoch E. Estabrook.
Victoria	W. Fred. Kerston.....	Jas. Tibbitt.
Westmoreland	F. W. Emmerson.....	Chas. E. Knapp.
York	J. H. Barry	R. McLennan.

COURT OF DIVORCE AND MATRIMONIAL CASES.

Judge—Vacant.

Registrar—R. W. McLellan.

COURT FOR THE TRIAL AND PUNISHMENT OF PIRACY AND OTHER OFFENCES ON THE HIGH SEAS.

The Governor, the Chief Justice, and other Judges of the Supreme Court; the members of the Executive Council, Judge of the Vice-Admiralty, the Provincial Secretary, Commander-in-Chief, Flag Officers, and Captains, and Commanders of Ships of War on this Station for the time being. The Court sits at any place within the Province, to be appointed by any three of the members; the Governor, Chief Justice, or one of the Supreme Court, or Judge of Admiralty being one.

JUDGES AND CLERKS OF THE COUNTY COURTS.

COUNTIES.	COUNTY TOWNS.	JUDGES.	CLERKS.
Albert	Hopewell Cape	Wm. Wedderburn.	J. H. Dickson.
Carleton	Woodstock	J. G. Stevens	Wm. M. Connell.
Charlotte	St. Andrews	J. G. Stevens	Jas. G. Stevens, jr.
Gloucester	Bathurst	William Wilkinson	John J. Harrington
Kent	Richibucto	W. W. Wells	C. J. Savre.
Kings	Hampton	Wm. Wedderburn	Ora P. King.
Madawaska	Edmundston	J. G. Stevens	Barry R. Plant.
Northumberland	Newcastle	William Wilkinson	Samuel Thompson.
Queens	Gagetown	Wm. Wilson	Arthur W. Ebbitt.
Restigouche	Dalhousie	William Wilkinson	Jas. S. Harquail.
St. John	St. John	J. Gordon Forbes	C. H. Ferguson.
Sunbury	Ormocto	Wm. Wilson	C. E. Duffy.
Victoria	Grand Falls	J. G. Stevens	W. Fred Kertson.
Westmoreland	Dorchester	W. W. Wells	W. H. Chapman.
York	Fredericton	Wm. Wilson	Jer. H. Barry.

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H. H. McLean, Q.C.

NOTARIES.

All Barristers, with a few exceptions, are Notaries.

LIST OF BARRISTERS, SOLICITORS, ETC.

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Andover—Victoria Co.

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Lawson, Thos.
Straton, Alex.

Bathurst—Gloucester Co.

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Gilbert, George
Harrington, John J.
Landry, Narcisse A.
MacLauchlan, D. Gustavus

Buctoche—Kent Co.

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Irving, R. A.

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Montgomery, John.
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Murray, H. F. McLatchy.

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Murray, Robt.
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Winslow, W. C.

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Chapman, Albert J.
Chapman, W. Hazen, Q.C.
Emmerson, H. R., Q.C.
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Harrington, C. L.
Knapp, Chas. E.
Richard, Ambrose D., Q.C.
Teed, M. G., Q.C.

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Laforest, Frederick
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Jno. Black, F. St. J.
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Campbell, J. Stewart.

Coy, Havelock

Fisher, C. H. B., Q.C.

Gregory, A. J.

Hughes, Peter.

McCready, James W.

McLeod, H. F.

Magee, J. V.

Peters, F. H.

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Sharkey, James T.

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Slipp, Arthur R.

Taylor, W. P.

Van Wart & McLeLlan. R. W. McLellan, B.A.

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Reilly, E. A.

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Sweeney, F. J.

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Aitken.

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Thomson, Samuel, Q.C.

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Richibucto—Kent Co.

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Richardson, Caleb

Robidoux, S. J.

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Q.C., A. W. Bennett, F.
A. Harrison.

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McFayden, J. H.

McQueen, James

Perrier, Hon. Pascal

Russell, Wm. A.

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Fowler, G. W.

Freeze, J. A.

McIntyre, J. M.

Morison, R.

Parlee, M. H.

Stockton, Fred. W.

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Cockburn, M. N.

Grimmer, F. Howard

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Alward, Silas, M.A., Q.C.

Armstrong, J. R., Q.C.

Ashe, John P.

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Baird, Alex. W.

Ballentine, Alex.

Barnhill, A. P.

Baxter, J. B. M.

Belyen, Geo. H. V.

Belyen, James A., Q.C.

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Joseph Porter.

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Ferguson

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Coster, C. J.

Coster, G. C.

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Vincent.

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 Fairweather, S. L.
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 McLeod, Robert.
 McSorley, Geo.
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 Richardson, J. W.
 Ritchie, Robert R.
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 Gallagher, John J.
 Hartley & Carvell, J. C.
 Hartley, F. B. Carvell
 Jones, T. M.
 Jones, W. P.
 Murphy, Josiah R.
 Vince, D. McLeod
 Winslow, J. Norman W.
 Young, L. E.

SYNOPSIS OF THE LAWS OF NEW BRUNSWICK.

Compiled by Messrs. Blair & Blair, St. John, N.B.,
Barristers of the New Brunswick Bar.

(Revised to January 1st, 1901.)

Arrest—Where claim is for liquidated amount over \$20,00, arrest can be had in Supreme or County Court, before judgment, on affidavit stating that amount is justly due, and that arrest is not made for the purpose of vexing or harassing the debtor. The allegation that debtor intends to depart from jurisdiction is not necessary, except where arrest is made after commencement of action by ordinary writ of summons in higher Courts and in cases in inferior Courts for small claims. When claim is not for a sum certain, a Judge's order for arrest can be obtained upon affidavit. (59 Vict. c. 28.)

Bankruptcy—Governed partially by "Act respecting Assignments and Preferences by Insolvent Persons," whereunder assignment can be made to sheriff, or to assignee named by majority of creditors having claims over \$100. No preferences allowed, and no discharge to debtor. Assignee must call meeting within five days after assignment, and meeting must be held within twelve. At meeting, creditors having proved claims, elect inspectors, and direct assignee in disposition or conduct of estate. There is no power to compel an insolvent to assign, but an assignment once made takes precedence of all judgments and executions. (58 Vict. c. 6; 59 Vict. c. 37.)

Barristers—Barristers from British Colonies or Possessions will be accorded in New Brunswick the same rights and privileges as are granted in such jurisdictions to barristers from this Province. Attorneys must study one year before being admitted to the bar.

Courts and Jurisdiction—**SECURITY FOR COSTS**—The Supreme Court has jurisdiction in all actions for debt or damage irrespective of amount. A creditor, residing out of the jurisdiction, upon demand must give security to the extent of \$200. The Supreme Court in Equity has the powers of the Court of Chancery in England. Security for costs \$500. The County Courts have jurisdiction up to \$100 in all cases, \$500 *in contract* and \$200 *in tort*, except actions where the title to land is brought in question, or in which the validity of any devise, bequest or limitation is disputed. Security, \$80 to \$100. Probate Courts have jurisdiction over the granting of probate or letters of administration. Where infant's estates do not exceed in value \$5,000, the Court may appoint guardians of the person or estate; where over \$5,000 in value, the Equity Court has jurisdiction. Security for costs may be ordered in "such reasonable amount" as Judge may direct. (61 Vict. c. 35.) There is also a Court for

Divorce and Matrimonial Causes, and numerous small-debt Courts Parish Courts, and Commissioners' Courts of inferior and local jurisdiction.

Bills of Sale and Chattel Mortgages—Where mortgage or sale is made not accompanied by immediate delivery, and an actual and continued change of possession of the goods conveyed, the conveyance or a copy proved by affidavit of the subscribing witness, together with an affidavit of the *bona fides* of the transaction, must be filed within thirty days with the Registrar of Deeds of county wherein maker resides, if within the Province, or of county where the goods are if maker resides without. All chattel mortgages must be renewed each year by filing sworn statement of amount due. On neglect to file after thirty days' notice served on mortgagee, the mortgage ceases to be valid against execution creditor. (56 Vict. c. 5; 61 Vict. c. 32.)

Executions—On judgments in Supreme and County Courts executions may be issued within twenty years from signing of judgment. Personal estate of all kinds may be seized and sold, and after such exhausted lands, possessory rights in land, rights of entry, beneficial rights and other interests in real estate may be sold. Wearing apparel, bedding, kitchen utensils and tools of trade or calling to value of \$100 of any debtor exempt. (Con. Stat. c. 47.)

Imprisonment for Debt After Judgment—Is only allowed in inferior Courts, such as the City Court of St. John, the Parish Courts and Justices' Courts. (59 Vict. c. 28.)

Garnishment—On judgments in County or Supreme Court, where amount due on judgment exceeds \$80, debts due the judgment debtor may be garnished. The Crown is exempt from garnishment, and wages or salary of debtor less than \$20. (45 Vict. c. 17.)

Interest—Five per cent., unless otherwise agreed.

Judgments—In default of appearance final judgment may be signed in the Supreme Court in forty days, and in the County Court in twenty days from service of summons, or if the action is upon a bill of exchange, promissory note, or cheque, or a bond or contract under seal for payment of a liquidated amount of money, a specially endorsed writ may be issued in the Supreme or County Court and final judgment signed in twenty days where the writ is specially endorsed; an appearance may be set aside by Judge's order, on affidavit proving claim and the Judge being satisfied that the defence is merely intended to delay. Memorials of judgments in the Supreme or County Courts may be registered and bind lands in county of registry for five years, after which period they may be renewed.

Limitation of Actions—On judgment and specialties twenty years; for penalties for assault, battery, wounding, imprisonment, or for words, two years; other causes of action, six years. Personal actions against minors, persons insane, or out of the Province, may be commenced within like period after removal of disability. (C. S. c. 85.) Real actions, twenty years; against Crown, sixty years. (C. S. c. 84.)

Married Women—May contract and sue and be sued same as *feme sole*. Judgment good, however, merely against separate property, but immaterial whether acquired before or after marriage. Can dispose of property freely, subject to husband's rights as tenant by courtesy. (58 V. c. 24.)

Registry of Deeds—All conveyances must be registered, otherwise ineffective against subsequent *bona fide* purchaser. Deeds may be acknowledged or proved out of New Brunswick before a notary public, the mayor or chief magistrate of any city or town, certified under corporate seal, Judge of Supreme Courts, British Minister, Ambassador or Consul, Governor of any State, certified under hand and seal of respective office. (57 Vict. c. 20.)

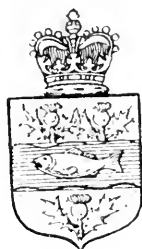
Wills—Infants cannot make a will. Will must be in writing signed by testator in presence of two witnesses, who shall subscribe as witnesses in his presence and in presence of each other. No form of attestation necessary. Executors may witness, but any legacy to witness is avoided. (Con. Stat. c. 77.)

Intestacy—Real estate to children or their legal representatives, then to next of kindred, and then representatives, including those of half blood. That is: 1st, children; 2nd, father or mother, 3rd, brothers and sisters and descendants of deceased brothers and sister *per stirpes*, and so on. Widow has dower. Husband has tenancy by the courtesy. Personal estate is distributed one-third to widow, and the residue in equal proportions amongst children and their representatives. If no descendants, one-half to widow, residue amongst next of kin in equal degree and representatives, but no representation among collaterals after brothers' and sisters' children. If no widow, all to children. (Con. Stat. c. 78.) Of the separate personal property of a married woman dying intestate, one-half goes to husband, balance to children, if no children, all to husband. (58 Vict. c. 21.)

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



NOVA SCOTIA.

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NOVA SCOTIA.

Supreme Court of Nova Scotia.

HAVING LAW AND EQUITY JURISDICTION THROUGH-
OUT THE PROVINCE.

Chief Justice:

Hon. James McDonald.

Assistant Judges:

* Robt. L. Weatherbe, Jos. N. Ritchie, Charles J. Townshend, Wal-
lace Graham *Judge in Equity*, Nicholas H. Meagher,

Hugh McD. Henry.

VICE-ADMIRALTY COURT.

Judge:

Hon. James McDonald.

Marshal:

Donald Archibald.

Registrar:

L. W. DesBarres.

JUDGES OF PROBATE AND REGISTRARS.

COUNTY.	JUDGES.	REG. OF PROBATE	REG. OF DEEDS.
Annapolis.....	J. M. Owen	Fred. Leavitt	Edward Bent
Antigonish	A. McIntosh	A. McDonnell.....	C.N. Harrington
Cape Breton....	L. X. McDonald..	A. D. McGillivray	John Gillies
Colchester.....	S. D. McLellan ..	S. D. McLellan..	Jas. R. Blair.
			(Jas. E. Purdy)
Cumberland....	R. Lowerison....	* Richard Lowerison	C.S. Muir,
			(Parrsboro')
Digby	John Holdsworth*	John Holdsworth.	J. S. McNeil.
Guysboro'.....	Burton Jost.....	J. McG. Cunning- ham	J. H. Buckley.
" St. Mary's	D. McDonald....	W.D.R. Cameron†	W.D.R. Cameron
Halifax	James G. Foster..	H. T. Jones.....	Alonzo J. White.
Hants	C. E. DeWolfe..	Fred. Curry	David Hamilton.
Inverness	E. D. Tremain..	D. J. McDonald..	J. A. McDonnell
Kings'	J. P. Chipman,	Henry Lovett....	A. M. Stewart,
	C. C. J.		Deputy.
Lunenburg	S. A. Chesley....	M. A. Gaetz....	W. E. Marshall
Pictou	J. D. McLeod....	J. H. Lane.....	John Yorston
Queen's	N. Freeman	* N. Freeman.....	† N. Freeman
Richmond.....	W. R. Cutler, Q.C.	D. O'C. Madden..	Thos. T. Jean
Shelburne.....	Ed M. Bill	R. G. Irwin.....	† R. G. Irwin
" Barrington	Thos. Watson....	F. W. Holmer....	† F. W. Holmer
Victoria.....	D. F. McRae....	A. F. Haliburton	A. Taylor
Yarmouth.....		Jonathan Horton.	Albert Gayton

* Registrar, with limited judicial powers. † and Registrar of Deeds.

By recent legislation when the office of a Judge of Probate becomes vacant, it is not filled and the jurisdiction of the Court of Probate is distributed between the Judge of the County Court, in the District in which the County is situate, and the Registrar of the Court of Probate.

COURT OF DIVORCE AND MATRIMONIAL CAUSES.

Judge in Ordinary:

Hon. Wallace Graham.

Registrar:

Wm. L. Barsz.

OFFICERS AND TERMS OF THE SUPREME COURT.

COUNTY.	TERMS OF THE SUPREME COURT.	SHERIFFS.	PROTHONOTARIES.	
Annapolis . . .	3rd Tu. June, 1st Tu. Oct.	Edwin Gates	C. F. Munroe.	
Antigonish . .	1st Tu. June, 2nd Tu. Oct.	D. D. Chisholm	J. C. McKinnon.	
Cape Breton . .	4th Tu. June, 3rd Tu. Oct.	Wm. Buchanan	W. E. Peters.	
Colchester . . .	1st Tu. June, 1st Tu. Oct.	Chas. A. McLennan . . .	E. W. Hamilton.	
Cumberland . .	3rd Tu. June, 2nd Tu. Oct.	M. A. Logan	Wm. M. Read.	
Digby	2nd Tu. June, last Tu. Sept.	H. A. P. Smith	W. B. Stewart.	
Guysboro' . . .	Last Tu. May, 1st Tu. Oct.	A. J. O. Magnire	Jas. H. Buckley.	
Halifax	(Civil, 4th Tu. Oct., 3rd Tu. April, Criminal, 3rd Tu. M'ch, 1st Tu. Oct. <i>In Banc</i> , 2nd Tu. Nov., 2nd Tu. Jan., 2nd Tu. M'ch, and a special term in July)	Donald Archibald, Simon H. Holmes		
	Hants	Last Tu. May, 3rd Tu. Sept.	Jas. O'Brien H. Percy Scott.	
	Inverness . . .	2nd Tu. June, 1st Tu. Oct.	Hugh McDonald	D. C. McDonald.
	King's	1st Tu. June, 3rd Tu. Oct.	Stephen Belcher	C. F. Rockwell.
	Lunenburg . .	Thursday before 1st Tu. June, Thursday after 2nd Tu. Oct. . . .	Jos. Creighton	W. H. Dauphinee.
Pictou	3rd Tu. June, 4th Tu. Oct.	J. S. Harris	David Logan.	
Queen's	2nd Tu. June, 1st Tu. Oct.	L. W. Drew, Jr.	Thomas Farrell.	
Richmond . . .	1st Tu. June, last Tu. Sept.	Jas. D. Power	D. O. C. Madden	
Shelburne . . .	Last Tu. Sept., 3rd Tu. June	G. W. McLean	Abram C. McLean	
Victoria	3rd Tu. June, 2nd Tu. Oct.	M. E. McKay	Alex. Taylor.	
Yarmouth . . .	4th Tu. June, Tu. before last Tu. of Sept.	Geo. H. Guest	J. Huntington.	

JUDGES AND CLERKS OF THE COUNTY COURTS.

DISTRICTS.	C.O. TOWN.	JUDGES	CLERKS.
No. 1 comprising			
Halifax Co. . . .	Halifax	Jas. W. Johnston.	S. H. Holmes.
No. 2 comprising			
Lunenburg Co. . .	Lunenburg . . .		(W. J. Dauphinee.
Queen's Co. . . .	Liverpool . . .	Francis G. Forbes.	T. J. Farrell.
Shelburne Co. . .	Shelburne . . .		(A. C. McLean.
No. 3 comprising			
Annapolis Co. . .	Bridgetown . . .		(R. J. Uniacke.
Digby Co.	Digby	Alfred W. Savary.	W. B. Stewart.
Yarmouth Co. . .	Yarmouth . . .		(Jas. Huntington.
No. 4 comprising			
King's Co.	Kentville		(C. P. Rockwell.
Hants Co.	Windsor	John P. Chipman.	H. Percy Scott.
Colchester Co. . .	Truro		(E. W. Hamilton.
No. 5 comprising			
Pictou Co.	Pictou	W. A. D. Morse . . .	(David Logan.
Cumberland Co. . .	Amherst		(Joshua Black.
No. 6 comprising			
Inverness Co. . .	Port Hood . . .		(J. Macdonnell.
Antigonish Co. . .	Antigonish . . .	Angus McIsaac. . . .	J. C. McKinnon.
Guysboro' Co. . .	Guysboro' . . .		(J. H. Buckley.
No. 7 comprising			
Cape Breton Co. .	Sydney		(W. E. Peters.
Victoria Co. . . .	Baddeck	Murray Dodd	A. Taylor.
Richmond Co. . .	Arichat		(D. O'C. Madden.

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The Hon. Mr. Justice Hannington, D.C.L.

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Lecturer on Procedure—Hector McInnes, LL.B.

Lecturer on Torts—Charles H. Caham, B.A., LL.B.

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Madden, J. W.
Murray, B. B.

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Gunn.
Kyte, Geo. W.

Strathlorne—Inverness
Co.
McDougall, J. L.

Sydney—Cape Breton Co.
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Chisholm, Crowe & Bur-
chall. C. Chisholm, Q.C.
W. Crowe, C. J. Bir-
chall.
Gillies & Gunn. J. A.
Gilles, A. D. Gunn.
Hearn, D. A.
Hearn, J. H.
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Moseley, Fred.
McDonald, A. J.
McDonald, F.
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X. McDonald, F. A. G.
Ousley
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H. S. Ross.
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Robertson, S. G.

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Nicholls, E. H.

Windsor—Hants Co.
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Blanchard, W. H.
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De Wolfe, C. E.
Davidson, F. L.
King, G. H.
Morse, E. J.
Ouseley, J. W., Q.C.
Sangster, H. W.
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Scott, H. P.
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Chipman.
Flint, T. B.
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Manro, H. H.
Murray, Stephen B.
Pelton, S. H., Q.C.

SYNOPSIS OF THE LAWS OF NOVA SCOTIA.

Compiled by J. M. Chisholm, Barrister, Halifax, N.S.,
of the Nova Scotia Bar.

(Revised to January 1st, 1901.)

Arrest—In causes of action in the Supreme Court for \$80 or more, whether for debt or damage, but before final judgment, where the creditor can prove to the satisfaction of a judge or commissioner such cause of action, and that the defendant is about to leave the province, an order for arrest can be obtained. After final judgment the debtor cannot be arrested except where the judgment is for a fine or penalty or imprisonment, and for taxes. In the County Courts the procedure is similar, but jurisdiction is limited to \$100. The defendant is entitled to his release on giving security by bond with sureties or by deposit.

Barristers and Solicitors A Barrister of any Superior Court in Great Britain and Ireland is entitled to be admitted to practise as a barrister or solicitor on producing evidence that he is a barrister and of good moral character.

A barrister, attorney or solicitor of any Superior Court in Her Majesty's Colonies, and a solicitor of any Court in Great Britain and Ireland, are entitled to be admitted to practise on producing evidence that he is such barrister or solicitor at the time of such application and upon passing the usual final examinations.

Barristers of Her Majesty's Superior Courts in any of Her Majesty's Dominions in which the same privileges are extended to this Province on producing evidence of admission and good standing, are entitled to admission as Barristers of the Supreme Court of this Province.

Bills of Sale Every Bill of Sale and every chattel mortgage must be filed in the Registry of Deeds for the District in which the grantor, if a resident of the Province, resides, or, if non resident, then in the Registry for the District in which the chattels are situated. These must be accompanied by affidavit, form of which the Statute prescribes, and shall take effect only from the date of filing. By a Statute passed by the Legislature in 1890, but not to come into force until proclaimed by the Governor in Council, Bills of Sale and Chattel Mortgages must be renewed within thirty days next preceding the expiration of three years from the filing thereof, otherwise they cease to be valid. The same Statute contains a provision for the renewal of existing Bills of Sale.

Conditional Sales—Every agreement for the sale of goods and chattels, and a hiring or lease accompanied by immediate delivery and change of possession, whereby it is agreed that the property in the goods and chattels, or a lien thereon for the price or value thereof, shall remain in the hirer, lessor or bargainor until payment, must be in writing and signed by the parties and accompanied by an affidavit of either of the parties thereto, setting forth the contract, and must be filed as a bill of sale or chattel mortgage, otherwise it shall be void as against the creditors and subsequent purchasers and mortgagees of the person to whom such chattels are hired, leased or agreed to be sold.

Courts and Jurisdiction of—The Supreme Court has jurisdiction in criminal and civil cases. For actions on contract the claim must be at least \$80.00. It has all the powers of the Court of Chancery in England. The County Courts have jurisdiction in all actions for debt where the amount is at least \$20 but not exceeding \$100, and in all actions for damages not exceeding \$100.

The Court for Divorce and Matrimonial Causes has jurisdiction relating to prohibited marriages and divorce.

Courts of Probate are established in each county of the province and have jurisdiction over the estates of deceased persons and to grant letters testamentary or letters of administration in the county where deceased last dwelt or where the estate is situate, and when necessary power is given to appoint guardians for infants. The Legislature by Chapter 2, Statutes 1897, enacts that thereafter when a vacancy shall occur in the office of Judge of Probate, such vacancy shall not be filled, and that the contentious business of the district shall be assigned to the Judge of the County Court for that district, the Registrar of Probate discharging the duties of the Judge of Probate in relation to non-contentious business.

Municipal Courts are established in each incorporated city and town and municipal corporation or police division. These are presided over by Stipendiary Magistrates or Recorders exercising criminal and civil jurisdiction. Justices of the Peace in their respective counties have similar jurisdiction.

Execution—May issue on the entry of a judgment in the Supreme and County Courts, unless pending an appeal an order for a stay has been granted. When delivered into the hands of the Sheriff it binds the goods of the judgment debtor against all persons except a *bona fide* purchaser without notice. The lands of the judgment debtor are not bound by the issue of an execution, but are by the recording in the Registry of Deeds of a certificate of the docket of judgment, and may be sold by levy under execution after one year from the date of the recording of such certificate.

Imprisonment for Debt under execution has been abolished. A creditor who has a judgment can, however, examine his debtor as to his means and ability to pay the debt before a judge or a commissioner, and the debtor may be ordered to pay the debt by instalments, and if he makes default he may be committed. The following property is exempt from execution: The necessary wearing apparel, beds, bedding and bedsteads of the debtor and his family. Certain house furniture and utensils for domestic use, ten volumes of books, and fishing nets, the value of which is not to exceed \$20. All necessary fuel,

meat, fish, flour and vegetables, actually provided for family use, not more than sufficient for the ordinary consumption of the debtor and his family for 30 days, and not exceeding in value the sum of \$40. One cow, two sheep, and one hog, and food therefor for 30 days; tools and implements of, or chattels ordinarily used in the debtor's occupation, to the value of \$20.

Insolvency—By a Statute of the Province (Chap. 11, Statutes 1898) provision is made for the equal distribution of the estates of insolvent persons. The Statute aims at securing such distribution by declaring a confession of judgment, any transfer of property or other transaction made or given by a person in insolvent circumstances with intent to hinder or delay his creditors to be invalid. Judgments by confession and transfers of property, if followed by an assignment by the debtor for the benefit of his creditors within sixty days, shall be presumed to have been made with intent to delay creditors and to be an unjust preference.

An insolvent person may assign his estate in trust for his creditors either to the official assignee (appointed by the Governor in Council) for the county he resides in or to some person resident within the Province, provided the creditors consent. The assignment must provide for the equal and ratable distribution of the estate among the creditors.

The requisite machinery is provided for the ultimate realization of the estate, and its distribution among creditors who shall prove their claims and file same with the assignee.

Garnishment—Debts due a judgment debtor may be attached or garnished. Besides the exemptions at common law from this process our statutes enact that the wages of a servant, laborer or workman shall not be subject to attachment unless the debt amounts to or exceeds \$40, and if the debt exceeds \$40 it shall be bound only as to the excess.

Interest—The laws of Canada regulate this. Interest is recoverable on all written agreements to pay a specific sum at a specific time, and also on accounts current where in the course of dealing between the parties interest has been paid, or where there is an express oral agreement to pay interest.

Judgments—In actions to which the defendant does not appear, judgment may be entered in ten days after the service of the writ where the cause of action is a liquidated debt or a money claim. In all other cases, in default of appearance, an order of a judge for judgment must be obtained. A defendant may by his warrant of attorney authorize a judgment to be entered upon against him on the issuing of the writ.

Limitation of Actions—Trespass for assault, battery, wounding or imprisonment, actions on the case for words and prosecutions for taking illegal interest, must be brought within one year; actions for trespass to lands, assumpsit, detinue, trover, replevin, debt grounded upon any lending or contract without specialty, for rent account or upon the case within six years. Actions for the recovery of lands, moneys secured by any mortgage, judgment or lien, or otherwise chargeable upon any land or rent or any legacy, and actions upon any deed, covenant or instrument under seal, shall be brought within twenty years. Part payment or acknowledgment in writing will extend the period of limitation.

Married Women—A married woman may contract to carry on business, sue and be sued, in the same manner as if unmarried. To carry on a separate trade she must file the written consent or license of her husband and register a certificate or declaration specifying her intended business and the place where she proposes to carry it on. She may hold property, real and personal, free from the debts or control of her husband and may contract in relation thereto and she has the same remedies against all persons, including her husband, for the protection and security of her property as if she were a *feme sole*. She has right of dower in her husband's real estate, and can dispose of her property by will in the same manner as if she were sole and unmarried, but, if the will is made without the husband's consent, the latter has the right of election between the provision made for him in the will and his rights as tenant by the courtesy.

Registry—Deeds executed in the province must be executed in the presence of a witness, who shall make oath of its execution before a Barrister or J. P., or a Notary Public, or the party making the deed may acknowledge its execution under oath before any of the said functionaries. Deeds may be proved out of the Province as well in Foreign Countries as in the British Dominions by the oath of a subscribing witness, to be administered by a Commissioner appointed to take affidavits out of the province, by a Judge of a Court of Record, by a Mayor of any city, a justice of the peace or a notary public, who shall certify to the attestation. When the certificate is made by a Justice of the Peace it must be authenticated by a Notary Public. When the deed is proved in a Foreign Country any Public Minister, Ambassador or Consul or Vice-consul from the Court of Great Britain may administer such oath.

To bind lands all deeds, judgments and attachments shall be registered in the office of the county or district in which the lands lie, and unregistered deeds or mortgages shall be void against any subsequent purchaser or mortgagee for valuable consideration, who shall first register his deed or mortgage.

Grants from the Crown must also be recorded.

Wills—No person under the age of 21 years can make a will. A married woman without her husband's consent can make a will. No will is valid unless in writing, signed at the foot by the testator or by some person in his presence and by his direction. The execution must be acknowledged in the presence of two or more witnesses, who shall attest and subscribe in the presence of the testator. Change of domicile will not revoke the will. Marriage will, except where the will is made in exercise of a power of appointment. Property situate within the province disposed of by will or other instrument, intending to take effect after death, of the value of \$5,000, after payment of all debts and expenses, is subject to a succession duty, if testator has not certain relatives. This duty is also chargeable upon intestate estates the value whereof exceeds \$5,000, in the absence of certain relatives.

INTESTACY—The estate of a person dying intestate is invariably administered by the Court of Probate, but the Supreme Court has jurisdiction in an administration action by a creditor to administer the estate in that Court. In the Probate Court administration is granted first to the widow or next of kin, and if they do not voluntarily take or renounce, then it is committed to the principal creditor. The administrator is required to file a bond with sureties, also an inventory of both real and personal estate and can be cited to a final accounting at the end

of 18 months. He has no title to the real estate except in cases where the personalty is insufficient to pay the debts. In the latter case on application to the Court a license to sell the real estate or sufficient thereof to pay the debts is granted on the administrator filing a bond for the due application of the moneys. The creditors are required to file their accounts with the administrator, duly attested to. In the distribution of the estate of a deceased insolvent the funeral expenses and the expenses attending the last illness of deceased and the administration are first paid; next, clerks, domestics, farm servants and rent are to be paid in full when not more than a year's rent or wages is due, the excess to be on same footing as other claims; lastly, all other creditors filing attested claims to be paid in proportion.

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



NORTH-WEST TERRITORIES.

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NORTH-WEST TERRITORIES.

Courts, Judiciary Officers, Etc.

SUPREME COURT.

WESTERN ASSINIBOIA.

Judge:

Hon. Hugh Richardson, Regina.

Sheriff:

J. H. Benson, Regina.

Clerk:

Dixie Watson, Regina.

Deputy Clerk:

W. G. Haulbain.

Public Administrator:

N. Mackenzie, Regina.

Crown Prosecutor:

T. C. Johnstone, Regina.

Deputy Clerk:

S. Greene, Moose Jaw.

Deputy Sheriff:

B. Fletcher, Moose Jaw.

EASTERN ASSINIBOIA.

Judge:

Hon. Edward L. Wetmore, Moosomin.

Sheriff:

Geo. B. Murphy, Moosomin.

Clerk:

Oliver Nell, Moosomin.

Deputy Sheriff:

W. Simpson, Yorkton.

Deputy Clerk:

W. H. Dunlop, Yorkton.

Public Administrator:

Geo. A. Watson, Yorkton.

Crown Prosecutor:

Levi Thompson, Wolsley.

SOUTHERN ALBERTA.

Judge:

Hon. D. L. Scott, Calgary.

Sheriff:

D. J. Campbell, Macleod.

Clerk:

C. N. Campbell, Macleod.

Public Administrators:

C. F. P. Conybeare, Lethbridge (Eastern District).

M. McKenzie, Macleod (Western District).

Crown Prosecutor:

C. F. P. Conybeare.

Process Issuers:

J. D. Higinbotham, Lethbridge; A. Okell, Maple Creek; A. W. Morden, Pincher Creek.

Deputy Sheriffs:

R. McCutchen, Medicine Hat; C. B. Bowman, Lethbridge.

Deputy Clerk:

W. T. Finlay, Medicine Hat.

NORTHERN ALBERTA.

Judge:

Hon. Chas. B. Rouleau, Calgary.

Sheriff:

P. W. King, Calgary.

Clerk:

L. Clarke, Calgary.

Public Administrator:

J. P. J. Jephson, Calgary.

Crown Prosecutor:

A. L. Sifton, Calgary.

Police Magistrate:

C. E. Smith, Calgary.

EDMONTON.

Judges:

Hon. Chas. B. Rouleau.

Hon. D. L. Scott.

*Deputy Clerk:**Deputy Sheriff:*

Alex. Taylor, Edmonton.

W. S. Robertson, Edmonton.

*Public Administrator:**Crown Prosecutor:*

N. D. Beck, Q.C.

C. de W. MacDonald.

SASKATCHEWAN.

Judge:

Hon. Thomas H. McGuire, Prince Albert.

*Sheriff:**Clerk:*

Graham Neilson, Prince Albert.

C. de Lagorgendiere, Prince Albert.

*Deputy Sheriff:**Deputy Clerk:*

R. Jefferson, Battleford.

L. P. O. Noel, Battleford.

*Public Administrator:**Crown Prosecutor:*

Jas. McKay, Q.C.

J. W. Hannon.

POLICE MAGISTRATES:

Crispin E. Smith, Calgary, for the Northwest Territories, with jurisdiction in and for the City of Calgary.

Seymour Noel de Puissance Green, Moosejaw, in and for the town of Moosejaw.

YUKON JUDICIAL DISTRICT.

Judges:

Hon. Calixte Aimé Dugas, Hon. James Craig, Judges of the Territorial Court of the Yukon Judicial District, Dawson.

Sheriff:

R. J. Eilbeck, for the Yukon Territory, Dawson.

*Clerk:**Crown Prosecutor:*

Charles Macdonald, Dawson.

F. C. Wade.

*Public Administrator:**Deputy Clerks:*

W. H. P. Clement.

Vacant.

Justice of the Peace:

J. K. Smith, Dawson.

H. M. Martin, Fort Selkirk.

Aimé Dugas, Jr., Dawson.

Notaries Public, Yukon Territory:

J. T. Bethune.

C. D. Mason.

Hy. A. Munn.

DOMINION LAND AGENCIES.

DISTRICT.	NAME.	ADDRESS.
Battleford	R. E. Chisholm	Battleford, Sask.
Calgary	W. Sutherland	Calgary, Alta.
Edmonton	R. A. Rutten	Edmonton, Alta.
Lethbridge	W. H. Cottingham	Lethbridge, Alta.
Prince Albert	John McTaggart	Prince Albert, Sask.
Qu'Appelle	A. J. Fraser	Regina, Assa.
Touchwood	R. Gimne	Yorkton, Assa.

LAND REGISTRATION DISTRICTS.

Inspector:

W. H. Newlands, Regina.

ASSINIBOIA.

Land Registration District comprises all Assiniboia.

Registrar.

W. H. Newlands, Regina

NORTH ALBERTA.

Land Registration District comprises that part of Alberta north

OF THE 9TH CORRECTION LINE.

Registrar.

George Roy, Edmonton

SOUTH ALBERTA.

Land Registration District comprises that part of Alberta south

OF THE 9TH CORRECTION LINE.

Registrar.

Horace Harvey, Calgary

EAST SASKATCHEWAN.

Land Registration District comprises all Saskatchewan lying east of range 11, west of the 3rd Initial Meridian

Registrar.

S. Brewster, Prince Albert.

WEST SASKATCHEWAN.

Land Registration District comprises all Saskatchewan lying west of range 10, west of the 3rd Initial Meridian

Registrar.

R. F. Chisholm, Battleford

LIST OF BARRISTERS, SOLICITORS, ETC.

Calgary—Alberta

Bangs & Jones. J. A.

Bangs, C. T. Jones

Bernard & Bernard. W.

L. Bernard, M. C. Bernard

Knott, H. W. H.

Lougheed & Bennett.

Hon. J. A. Lougheed, Q.C., R. B. Bennett.

McCarthy & Stuart, Peter McCarthy, Q.C., C. A. Stuart

McCaul & Short. C. C.

McCaul, Q.C., Jas. Short

Muir & Jephson. James

Muir, Q.C., J. P. J. Jephson

Nolan, P. J.

Sifton, A. L.

Smith, Crispin E.

Smith, J. B., Q.C.

Simmons, W. C.

Trimble, H. M.

Wilkins, E. D. H.

Carnduff—Assiniboia

Gordon, T. C.

Edmonton—Alberta

Beck & Emery. N. D.

Beck, Q.C., E. C.

Emery

Bown & Robertson.

John C. F. Bown, H. H.

Robertson

Cowan, I. S.

MacDonald, C. de W.

McNamara, P. L.

Short & Cross. W. Short, C. W. Cross.

Taylor & Boyle. H. C.

Taylor, J. R. Boyle

Villeneuve, Frederick

Grenfell—Assiniboia

Peel, Woolnough

Indian Head—Assiniboia

Cole, D. H.

Gordon, R. B.

Jackson, T. W.

Wilson, H. G. W.

Innisfail—Alberta

Smith, Wm.

Bernard & Bernard.

(H. O. Calgary).

Oldham, F. M.

Lacombe—Alberta

Bray, A. W.

Leithbridge—Alberta

Attkinson, C. J.

Conybeare, C. F. P., Q.C.

Haultain, F. W. G.

Harris, C. F.

Macleod—Alberta

McKenzie, M.
McNeill, E. P.
Wood, C. E. D.

Medicine Hat—Assiniboia

Kealy, O. W.
Mitchell, Charles R.
Thomas, Geo. P.

Moosejaw—Assiniboia

Grayson, Wm.
King, Lawrence
Willoughby, W. B.

Moosomin—Assiniboia

Brown, J. T.
Elwood, E. L.
McLorg, E. A. C.

Pincher Creek—Alberta

Kemmis, A. C.

Prince Albert—Sask'wan

Gunn, W. R.
Hannon & Lamonte, J.
W. Hannon, J. H. Lamonte
McKay, James, Q.C.

Qu'Appelle Station—

Assiniboia
Dickson, A. D.

Red Deer—Alberta

Greene, Geo. W.

Regina—Assiniboia

Balfour, James
Bell, Cecil H.

Davin, Nicholas Flood, Q.C.
Hamilton & Jones, W.
C. Hamilton, Q.C., F.
Jones, B.A.

Harvey, Horace, Depy.
Atty. Gen'l.

Herschmer, S.
Johnstone, T. G.
Mackenzie & Brown, N.
Mackenzie, G.W. Brown

Sintaluta—Assiniboia

Kennedy, D. R.

Strathcona—Alberta

Mills, N.
Rutherford & Jamieson,
A. C. Rutherford, F.C.
Jamieson
Taylor & Boyle, H. C.
Taylor, J. R. Boyle

Whitewood—Assiniboia

MacDougall, H. A. J.
Maclean, J. F.

Wolseley—Assiniboia

Murphy, J. D.
Thomson, L.

Yorkton—Assiniboia

Elliott, Giffard
Parsons, W. R.
Watson, Geo. A.
Worsley, R. W.
Wyssman, R. H.

LIST OF BARRISTERS IN THE YUKON TERRITORY.

Dawson City

Blecher & de Journal, H.
G. Blecher, F. de
Journal.
Burritt & McKay, Wm.
E. Burritt, Wm. M.
McKay.
Clark & Wilson, Orange
H. Clark, Herbert G.
Wilson
Pattullo & Ridley, Hy. E.
Ridley, J. B. Pattullo,
Gwillim & Crisp, F. L.
Gwillim, F. Crisp.

Lisle, H. Claud
McDougall, Frank J.
Robertson, Herbert E. A.
Sparling, Jno. K.
Tabor & Hulme, C. W.
C. Tabor, Herbert D.
Hulme
Wade & Aikman, Fred-
erick C. Wade, Q.C.,
Crown Attorney, J. A.
Aikman
White, McCaul & Davey,
W. White, C. C. Mc-
Caul, A. Davey.
Woodworth, Charles M.

YUKON.

Commissioners for taking Affidavits in the Territorial Court.

James D. McGregor Dawson City.

Aimé Dugas, Jr. Dawson City.

SYNOPSIS OF THE LAWS OF THE NORTH-WEST TERRITORIES.

Compiled by Messrs. Bown & Robertson, Barristers, Edmonton,
N.-W.T., of the North-West Territories Bar.

(Revised to January 1st, 1901.)

Subject to the provisions of the North-West Territories Act (cap. 50, Can.)

Generally, the laws of England relating to civil and criminal matters, as the same existed on the 15th day of July, 1870, are in force, in so far as the same are applicable to the Territories, and in so far as the same have "not been or are not hereafter repealed, altered, varied, modified, or affected by any Act of the Parliament of the United Kingdom applicable to the Territories, or of the Parliament of Canada, or by any ordinance of the North-West Territories.

Attachment—1. Of debts.

The plaintiff in any action for a debt or liquidated demand before or after judgment, and any person who has obtained a judgment or order for the recovery or payment of money may issue a garnishee summons, which is issued upon the plaintiff or judgment creditor, his advocate or agent filing with the clerk an affidavit shewing the nature and amount of the claim or judgment, and swearing positively to the indebtedness, and stating to the best of the deponent's information and belief the proposed garnishee (naming him) is indebted to such defendant or judgment debtor. Service of such garnishee summons shall bind any debt due, or accruing due, from the garnishee to the defendant or judgment debtor. The Government of the North-West Territories may be garnisheed with regard to monies due or accruing due to all persons permanently employed by the Government of the Territories. No debt due or accruing to a mechanic, workman, labourer, servant, clerk or employee for or in respect of his wages or salary, shall be liable to seizure or attachment unless the same exceeds \$25, and then only to the extent of the excess. This exemption of \$25 does not apply to debts for board and lodging.

2. Of Goods.

After the commencement of any suit wherein the claim is for the recovery of a debt of \$50 or upwards from the defendant to the plaintiff, upon affidavit made by the plaintiff or his agent, having a personal knowledge of the matter, stating clearly and succinctly from what cause such debt arose, and the amount thereof, and that he has good reason to believe (giving reasons) that the defendant (a) is about to abscond or has absconded from the Territories leaving personal property in any judicial district thereof liable to seizure under execution for debt; or (b), or has attempted to remove such personal property out of the Territories, or to sell or dispose of the same with intent to defraud his creditors generally, or the plaintiff in particular; or (c) keeps concealed to avoid service of process; and in either case that the deponent verily believes that without the benefit of the attachment the plaintiff will lose his debt or sustain damage, and upon a further affidavit of one other credible person that he is well acquainted with the defendant and has good reason

to believe (giving such reasons) that the defendant is about to abscond, or has absconded, or has attempted to remove his property out of the Territories, or to sell or dispose of the same, or keeps concealed with intent as aforesaid, a judge on ex parte application may direct the clerk to issue a writ of attachment, which shall be executed by the Sheriff; Provided that if the debtor has absconded, or is about to abscond, leaving no wife or family behind, no property of such debtor shall be exempt from seizure.

The writ may be set aside by a judge upon sufficient proof by affidavit that the writ was issued without reasonable cause. The suit proceeds in the ordinary way but in case the plaintiff does not recover judgment for the full amount sworn to he is not entitled to costs, but may be ordered to pay the costs of the defendant. Provisions are made for release of the goods upon security and sale of perishable goods, &c.

3. Of the person.

The generally accepted opinion is that there is no arrest under civil process.

Assignments—There are no statutory provisions in respect to assignments for the benefit of creditors. Fraudulent and Preferential assignments of goods, chattels, effects, bills, notes, shares, &c., &c., by persons in insolvent circumstances, whether made under pressure or not, which delay or have the effect of delaying creditors, are void. These provisions do not apply to assignments for the benefit of creditors generally.

Assignment of Choses in Action—Debts and choses in action arising out of contract are assignable at law by any form of writing containing apt words to that effect, subject to the conditions and restrictions as to transfer contained in original contract, and assignee may bring action in his own name. The assignment is subject to equities existing at the time that notice of the assignment is given to the debtor or person sought to be made liable.

Bills of Sale and Chattel Mortgages—Bills of Sale and chattel mortgages, not accompanied by an immediate delivery and an actual change of possession of the things sold or mortgaged, must be registered within thirty days from execution, with an affidavit of execution and an affidavit of bona fides, which varies according to the circumstances of the case. They take effect from the date of registration only. In case they are not registered as provided for, or in case the consideration for which they are made is not truly expressed they are null and void as against creditors, and subsequent purchasers, and mortgages in good faith for valuable consideration. No mortgage, bill of sale, lien, charge, incumbrance, conveyance, transfer or assignment intended to operate or have effect as a security in so far as it assumes to bind or affect any growing crop, or crop to be grown, shall be valid, unless the same be as security for the purchase price of seed grain. There are special provisions relating to seed grain mortgages. Mortgages filed cease to be valid as against creditors, &c., after two years unless renewed. Further renewals after first renewal must be yearly. Renewal is made by statement in form prescribed, which shows interest of mortgagee, assignee, &c., full statement of amount due, all payments on account, with affidavit of truth of the statement. In case of removal from one district to another three weeks are allowed to file copy of mortgage in office for district to which goods are removed.

Courts—The Supreme Court of the North-West Territories has jurisdiction in all civil and criminal matters. There is no other court. Justices of the Peace have jurisdiction in disputes between masters and servants. In claims for debt, where the amount or balance claimed does not exceed \$100 a simple and special procedure is provided, without formal pleadings. The Court consists of five judges, who reside at various points in the Territories. Each judge has jurisdiction throughout the Territories, but usually exercises the same in his own judicial district. Appeal lies to the Court en banc. And from Court en banc directly to Privy Council, without appeal to the Supreme Court of Canada, if desired and in certain cases.

Decedent's Estates An officer known as the Public Administrator is appointed for each Judicial District, or such part thereof as may be desirable, who administers the estate if no application be made for probate or administration within one month after decease of any person. He also takes possession of any neglected property of deceased. Application is made to a judge in chambers for an order for executor, administrator or public administrator, to advertise for creditors, notice to send in claims is given by advertisement, which must be verified by statutory declaration, also stating securities held and value thereof. Distribution is made after time named in the order. Claimants not filing within time limited do not share in the distribution, but may follow property into hands of person receiving same. Administrators and public administrator must pass accounts before the judge within two years after grant of letters.

In administration simple contract and specialty debts rank equally, but judgment debts have a priority.

Descent—Both real and personal property descend and are distributed in the same manner. The English Statutes of Distribution govern, except that no husband whose wife died on or after the 1st Jan., 1887, is entitled to any estate by the courtesy in the land of his deceased wife, but he has the same right therein as a wife has in the personal property of her deceased husband.

Dower—There is no dower, but widow has the same right in the lands of her deceased husband as if they were personal property.

Evidence—Witnesses are examined viva voce in open court, but the judge may order, upon sufficient reason being shewn, proof by affidavit, interrogatories or examination before a commissioner or examiner. Evidence taken in one cause may, by leave of a judge be read in any other cause or matter.

Examination of Judgment Debtor—When a judgment or order is for the recovery or payment of money, the party entitled to enforce it can obtain an ex parte order for the examination of the debtor, or in the case of a corporation, of any officer thereof, as to whether any and what debts are owing to the debtor, and whether the debtor has any and what means of satisfying the judgment or order. The examination is for the purpose of discovery only, and an order is to be made on the evidence given. It may be used on any subsequent proceedings between the same parties, or between the execution creditor, and any transferee of the property and effects of the execution debtor, or in any proceeding to obtain payment directly or indirectly, whether by attachment of debts, equitable execution or otherwise.

Execution—May issue immediately after judgment. An Execution expires in two years unless renewed. Execution may be stayed on special grounds on motion to a judge, who may impose terms as to security, &c.

There is no priority between execution creditors. Sheriff holds proceeds of sale sixty days, and then distributes proportionately among all execution creditors, who then have executions in his hands, retaining his fees and extra costs of creditor at whose instance and under whose execution the seizure and levy were made. Employees of the execution debtor are entitled to be paid their wages, not exceeding one month's, in priority, and share pro rata with the other creditors as to the residue, if any, of their claim.

Execution shall not issue against any partnership property, except on a judgment against the firm. A judgment creditor of a partner may, however, apply in chambers for a charging order on partner's interest in the partnership property and profits, with appointment of receiver, directions for accounts, &c.

Exemptions—The following real and personal property of an execution debtor and his family are free from seizure by virtue of all writs of execution:—

1. The necessary and ordinary clothing of himself and his family;

2. Furniture, household furnishings, dairy utensils, swine and poultry to the extent of five hundred dollars;

3. The necessary food for the family of the execution debtor during six months, which may include grain and flour, or vegetables and meat, either prepared for use or on foot;

4. Three oxen, horses or mules, or any three of them, six cows, six sheep, three pigs and fifty domestic fowls, besides the animals the execution debtor may have chosen to keep for food purposes, and food for the same for the months of November, December, January, February, March and April, or for such of these months, or portions thereof as may follow the date of seizure, provided such seizure be made between the first day of August, and the thirtieth day of April next ensuing;

5. The harness necessary for three animals, one waggon or two carts, one mower or cradle and scythe, one breaking plough, one cross plough, one set of harrows, one horse rake, one sewing machine, one reaper or binder, one set of sleighs, and one seed drill;

6. The books of a professional man;

7. The tools and necessary implements to the extent of \$200 used by the execution debtor in the practice of his trade or profession;

8. Seed grain sufficient to seed all his land under cultivation, not exceeding 80 acres, at the rate of two bushels per acre, defendant to have choice of seed, and fourteen bushels of potatoes;

9. The homestead, provided that the same be not more than 160 acres; in case it be more the surplus may be sold subject to any lien or incumbrance thereon;

10. The house and buildings occupied by the execution debtor, and also the lot or lots on which the same are situate according to the registered plan of the same to the extent of fifteen hundred dollars.

The debtor is entitled to choice from the greater quantity of the same kind of articles. None of the above articles except food, clothing and bedding, the price of which forms the subject matter of the judgment upon which the execution is issued, are exempt from

seizure. In case of death of the execution debtor, the exemptions may be claimed, if the property is in the use and enjoyment of the widow and children, or widow, or children, of the deceased, and is necessary for their maintenance and support.

Garnishment See Attachment of Debts.

Insolvency—There are no insolvent laws in the Territories. Debtors may assign to a trustee for the benefit of creditors, but such assignment does not discharge the balance of their debts.

Insurance—Any person may insure his life for the benefit of his wife and children, or some one or more of them, or by writing (including his will), declare that any insurance on his life is for their benefit. Such insurance is not chargeable with debts, and does not form part of the estate of insured, but goes directly to the beneficiaries.

Interest—The legal rate is 5 per cent., but any rate may be agreed upon.

Justices of the Peace—These officials have jurisdiction through the Territories. They have a limited civil jurisdiction in matters between masters and servants, and in regard to trespass of animals and estray animals.

Judgments—Where the claim is for a debt or liquidated demand, and no appearance is entered within the time limited, which varies, plaintiff can enter final judgment for claim and costs. Appearance may be struck out on a 4-day summons if defendant has no defence on the merits.

Liens—Where goods over the value of \$15 are sold upon condition that the right of property or possession shall not pass until the payment of the purchase price, a copy of the agreement of sale with affidavit of bona fides must be filed in the registration district within which the purchaser resides, within thirty days, or the seller cannot set up his right against subsequent purchasers, mortgagees or creditors. There must be a sufficient description of the goods sold so that they may be readily and easily known and distinguished. The lien expires in two years unless renewed. In case the vendor repossesses the goods he must retain the same for twenty days before selling, during which time the purchaser may redeem, and he must also give purchaser notice of the sale.

Liens of Mechanics, Laborers and Material Men—Unless he signs an express agreement to the contrary, every mechanic, machinist, builder, miner, labourer, contractor, or other person doing work upon or furnishing materials to be used in the construction, alteration or repair, of any building or erection, or erecting, furnishing or placing machinery of any kind in, upon, or in connection with any building, erection or mine, shall, by virtue of being so employed or furnishing, have a lien for the price of the work, machinery or materials, upon the building, erection or mine, and the lands occupied thereby or enjoyed therewith. In addition to the above, every mechanic, labourer or other person, performing labour for wages upon the construction, alteration or repair of any building has also a lien for such wages, not exceeding 30 days wages, to the extent of the interest of the owner, upon such building, erection or mine, and the land occupied thereby or enjoyed therewith. Such lien must be registered in the Land Titles Office for the Land Registration District in which the land is situated, within 30 days from the

completion of the work or supplying or placing of the machinery, and expires within 90 days from the completion of the work or supplying, unless proceedings to realize are commenced and a certificate to that effect registered.

Every mechanic or other person who has bestowed money, or skill and materials, upon any chattel or thing, in addition to all other remedies provided by law, has the right, if the amount to which he is entitled remains unpaid for three months after the same ought to have been paid, upon giving one month's notice by advertisement in newspaper, and by bill to sell the article.

Legal Profession—Legal education, &c., are under the control of the Law Society, which acts through the benchers. University graduates serve three years under articles, others five years.

Limitation of Actions—All actions for the recovery of merchants' accounts, bills, notes, and all actions of debt grounded upon any lending or other contract without specialty shall be commenced within six years after the cause of such action arose.

The provisions of The Real Property Limitation Act, 1871, being chapter 57 of the Statutes of the Imperial Parliament, passed in the 37th and 38th years of Her Majesty's reign, are declared to be in force, and to have been in force in the Territories since the passing thereof.

Judgments and contracts under seal outlaw in 20 years.

Married Women—In respect to land acquired after Jan. 1st, 1887, they have all the rights and are subject to all the liabilities of a *feme sole*, and may in all respects deal with land as though unmarried ("The Land Titles Act, 1894," 57-58 Vic. c. 28, Dom.).

In regard to personal estate their position is not altogether clear. The N. W. T. Act, R. S. Can. c. 50, ss. 35-40, declares, that "all wages and personal earnings of a married woman, and acquisitions therefrom, and all profits of any occupation or trade carried on by her, separate from her husband, or derived from any literary or artistic skill, and all investments of the same, are free from the debts or dispositions of her husband, and shall be held and enjoyed by her, and be disposed of without her husband's consent, as fully as if she were a *feme sole*." No order for the protection of the same is necessary. Possession by the husband of the personal property of a married woman shall not render the same liable for his debts. A husband is not by reason of marriage liable for the debts of his wife contracted before marriage, but the wife and her separate property shall be liable therefor as though she had continued unmarried; and a husband shall not be liable for any debts of his wife in respect of any employment in which she is engaged on her own behalf, or in respect of her own contract. A married woman may sue in respect to her separate property as though unmarried, and may be sued separately in respect to her separate debts, contracts or torts as though unmarried.

Con. Ord. N. W. T., c. 47, declares that a married woman shall in respect of personal property be under no disabilities whatsoever heretofore existing, by reason of her coverture or otherwise, but shall in respect of the same have all the rights and be subject to all the liabilities of a *feme sole*.

Mining Matters—These are regulated by various orders in council issued from the Department of The Interior at Ottawa, which to great extent vary as to different sections of the Territories.

Municipalities—Full provision is made by Ordinance for the formation and maintenance of municipal institutions.

Partnership—"An Ordinance to declare and amend the law of Partnership" (c. 7 of the Ords. of the N. W. T., 1899), came into force on the 1st July, 1899.

Real Estate—The Torrens System has been in force in the Territories since 1st Jan., 1887. A certificate of title is issued to the owner, which is binding upon all persons including the Crown, declaring that the owner is entitled to the estate mentioned in the certificate in the lands therein described, subject to the liens, encumbrances, and interests mentioned on the certificate. The certificate is conclusive evidence. Whenever any dealing takes place in regard to the land the certificate must be produced, and a memorial of the dealing endorsed upon the certificate. No instrument is of any effect until registered, and cannot be registered without the production of the certificate. Persons entitled under unregistered instruments, or to equitable estates, &c., can protect their interests by caveat.

The whole matter is set out in "The Land Titles Act, 1891," 57-58 Vic. c. 28, Dom. Stats.

Replevin—In any action for the recovery of any personal property, and claiming, whether alone or with any other claim, that it was unlawfully taken, or is unlawfully detained, the plaintiff may, at any time after the issue of the writ of summons, obtain a writ of replevin upon filing an affidavit of himself or his agent, naming the judicial district in which the property is, giving description and value thereof, stating that the person claiming is the owner or entitled to the possession thereof. Further stating in case the property was taken for distress, for rent or damage, feasant that fact. Also stating if the possession was got by fraud the particulars of the fraud. The plaintiff must enter into a bond with two sureties in double the value of the property.

Schools—Full provisions are made by ordinance for the organization and maintenance of school districts.

Service of Writs—Service must, generally, be personal. It may be made by any person other than the plaintiff. In certain cases a judge may make order for substitutional service by advertisement or otherwise. When the defendant resides outside the Territories a judge's order for leave to issue a writ for service *ex juris* must be obtained, which order states the time for appearance.

Statute of Frauds—The Imperial Act is in force in the Territories.

Taxes—Land is not subject to taxes unless it is situate within a municipality, school district or local improvement district.

Land may be sold for arrears of taxes. The time for redemption is one year.

Wills—Every person may dispose of by will all real and personal property to which he is entitled either at law or in equity at the time of his death. No will made by any person under the age of 21 years is valid. No will is valid unless it is in writing, and

signed at the foot or end thereof by the testator, or by some other person in his presence and by his direction; such signature shall be made or acknowledged by the testator, in the presence of two or more witnesses present at the same time, who shall attest and shall subscribe the will in the presence of the testator, but no form of attestation is necessary. Devise (other than a charge for the payment of a debt) to a witness, or the husband or wife of a witness, is void, but the witness may prove the execution of the will. No will, codicil, or any part thereof, shall be revoked otherwise than by marriage, or by another will or codicil executed as above described, or by some writing declaring an intention to revoke the same, and executed in the manner in which a will is required to be executed, or by the burning, tearing, or otherwise destroying the same, by the testator, or by some person in his presence and by his direction, with the intention of revoking the same.

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



PRINCE EDWARD ISLAND.

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PRINCE EDWARD ISLAND.

Supreme Court of P. E. Island.

Chief Justice:

Hon. William Wilfred Sullivan.

Assistant Judges:

Hon. Edward Jarvis Hodgson, Hon. Rowan Robert Fitzgerald.

Prothonotary:

J. A. Longworth.

Clerk of the Crown:

W. A. Weeks.

COURT OF CHANCERY.

Chancellor:

Hon. Peter A McIntyre, Lieut.-Governor.

Vice-Chancellor:

Hon. Rowan Robert Fitzgerald.

Master of the Rolls:

Hon. Edward J. Hodgson.

Registrar:

W. A. Weeks.

ADMIRALTY COURT.

Judge:

Hon. Wm. W. Sullivan.

Registrar:

J. A. Longworth.

Marshal:

Fred. W. Hyndman.

SURROGATE AND PROBATE COURT.

Surrogate and Judge of Probate:

Hon. Richard Reddin.

Registrar:

J. G. J. Weldon.

JUDGES AND CLERKS OF THE COUNTY COURTS.

COUNTY.	COUNTY SEAT.	JUDGE.	CHIEF CLERK AND HIGH SHERIFF.
King's..	Georgetown ..	Alex. B. Warburton.	(C. C., Geo. A. Aitken. H. S., D. F. McDonald.
Prince..	Summerside ..	Neil McLeod.....	(C. C., W. T. Hunt. H. S., D. Wright.
Queen's.	Charlottetown.	Hector C. McDonald.	(C. C., Henry Smith. H. S., W.B. Robertson.

THE LAW SOCIETY OF PRINCE EDWARD ISLAND.

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W. A. O. Morson, Q.C.

Vice-President:

A. Peters, Q.C.

Executive Committee:

W. S. Stewart, Q.C., D. A. McKinnon, S. Blanchard, C. R. Smallwood.

Secretary and Treasurer:

F. L. Haszard, Q.C.

Librarian:

A. G. Brunner.

Examiners for Admission to the Bar:

A. A. McLean, Q.C., W. A. O. Morson, Q.C., A. Peters, Q.C., D. C. McLeod.

Examiners of Applicants to Study Law—W. S. Stewart, Q.C., D. C. McLeod, C. R. Smallwood.

LIST OF BARRISTERS, SOLICITORS, ETC.

Alberton—Prince Co.

Rattenbury & Tweedy
(H. O. Charlottetown).

Charlottetown—Queen's Co.

Arseneaux & McKenzie,
A. E. Arseneaux, H.
R. McKenzie.

Bayfield & Blanchard, E.
Bayfield, S. Blanchard
Brehant, Alder.

Davies & Haszard, Sir

L. H. Davies, Q.C., K.
C.M.G., F. L. Haszard,
Q.C., J. F. Wheat, G.
Gaudet.

Haviland, Eustace H.

Johnston, J. J.

Mellish, John T.

McDonald, Aeneas

McDonald, John S.

McDonald, J. A.

McKinnon, D. A., Q.C.

McLean, A. A., Q.C.

McLeod, D. C.

McLeod, Morson & Mc-
Quarrie, W. A. O.
Morson, Q.C., N. Mc
Quarrie

Mathieson & Bentley, J.
A. Mathieson, W. E.
Bentley

Palmer, H. James

Peters, Peters & Ings.

Arthur Peters, Q.C.,
M.P.P., A. E. Ings.
Rattenbury & Tweedy,
Oliver Rattenbury, Geo.
Tweedy.

Reddin, James H.
Smallwood, Chas. R.
Stewart, W. S., Q.C.

Georgetown—King's Co.

Mathieson & Bentley,
(H. O. Charlottetown).

Montague—King's Co.

Inman, Geo. S.

Souris—King's Co.

Mellish, Arthur J. B.

Summerside—Prince Co.

Arseneaux & McKenzie,
(H. O. Charlottetown).
Bell & Johnston, J.
H. Bell, R. E. Johnston
McLeod, Neil.
Martin, K. J.

Morson & McQuarrie,
W. A. O. Morson, N.
McQuarrie

Peters, Ings & Saunders.
A. Peters, Q.C., A. E.
Ings, A. C. Saunders
Wright, Henry E.
Wyatt, J. E.

SYNOPSIS OF THE LAWS OF PRINCE EDWARD ISLAND.

Compiled by Messrs. Davies & Haszard, Barristers, Charlottetown.
of the Prince Edward Island Bar.

(Revised to 1st January, 1901.)

Arrest—In causes of action in the Supreme Court for \$32 or more, whether for debt or damages, but before final judgment, where the creditor can prove to the satisfaction of a judge such cause of action, and that the defendant is about to leave the Province with the intention of defrauding his creditors, an order for arrest can be obtained.

After final judgment the debtor can be arrested if it can be shown to the satisfaction of a judge that he has fraudulently made away with his property.

In the County Courts the procedure is similar, but the jurisdiction is limited to \$150.

Bankruptcy—If any person being in insolvent circumstances or unable to pay his debts in full, or knowing himself to be on the eve of insolvency, gives a confession of judgment with intent in giving such confession to defeat or delay his creditors wholly or in part, or to give one or more creditors a preference, such confession shall be null and void as against his other creditors. If such transaction, with or for a creditor has the effect of giving that creditor a preference over the other creditors it shall in and with respect to any action or proceeding which within 60 days thereafter shall be brought to impeach or set aside such transaction, be presumed to have been made with the intent aforesaid.

Barristers—A barrister of any court in Great Britain or Ireland, or an attorney, solicitor or barrister of any British Province or Colony, and who shall have resided in this Province 12 months previous to making application for admission, shall be entitled to be admitted to practice as an attorney and barrister of the Supreme Court of this province, on his producing a satisfactory certificate bearing date within six months previous to the commencement of his residence in this island from a judge of the court to which he belongs, of his being at the bar or on the rolls of such court, and of his being in actual practice at the time when such certificate was granted, and that he has conducted himself with credit and reputation since he was called to the bar, and that he is a person of

good moral character, and, if required by the Judges of the Supreme Court of this island, shall submit himself to and pass a satisfactory examination touching his fitness and capacity.

Bills of Sale and Chattel Mortgages—It is necessary that the original shall be filed in the office of the Prothonotary of the Supreme Court in the county where the goods are, and shall be accompanied by an affidavit of the grantee or his agent setting forth the *bona fides* of the transaction and that the debt is justly and truly owing, otherwise it shall be void as against assignee for creditors purchasers, and execution creditors who have executions in the sheriff's hands.

Conditional Sales—See Bills of Sale and Chattel Mortgages.

Courts and Jurisdiction of—The Supreme Court has jurisdiction in all actions for damages and in debt for \$32 and upwards.

The County Courts have jurisdiction in all actions for debt where the amount does not exceed \$150, and in all actions for damages not exceeding the same amount, except where the question of title to land is in dispute, when they have no jurisdiction.

The Court of Probate is established in Charlottetown for the whole province and has jurisdiction over the estates of deceased persons and to grant letters testamentary or letters of administration.

Municipal Courts are established in Charlottetown and Summerside. These are presided over by stipendiary magistrates exercising criminal and civil jurisdiction. There is also a stipendiary magistrate for each county in the Island, who has similar jurisdiction outside of the towns.

Justices of the Peace in their respective counties have similar jurisdiction.

Execution—May issue on the entry of a judgment in the Supreme Court (except where entered on a warrant of attorney and the defeasance thereof gives time for payment), and County Courts unless pending an appeal.

When delivered into the hands of the sheriff it binds the goods of the judgment debtor against all persons except a *bona fide* purchaser.

The lands of a judgment debtor are bound by the entry of the judgment. Providing a minute has been filed with the judgment, and may be sold at any time after six months from the issue of statute execution.

A minute must be filed every ten years in order to keep the lands bound as against subsequent purchasers or incumbrancers.

Imprisonment for Debt under execution has been abolished. A creditor who has a judgment can, however, examine his debtor as to his means and ability to pay the debt before a Judge, and the debtor may be ordered to pay the debt by instalments.

The following property is exempt from execution: The necessary wearing apparel and bedding of the debtor and his family and the tools or instruments of his trade or calling, five pounds in money and one cow.

Garnishment—Debts due a primary or judgment debtor may be attached or garnisheed.

Interest—The laws of Canada regulate this. Interest is recoverable on accounts current when in the course of dealing between the parties interest has been paid, or where there is an express agreement to pay interest. It is also recoverable on promissory notes from their due dates, and of course on all agreements in writing to pay interest.

Judgments—In actions to which defendant does not appear, judgment may be entered in eight days after service of writ when the cause of action is a liquidated debt or money claim and where the writ has been specially endorsed. In cases where the writ has not been specially endorsed (if for debt) judgment cannot be entered till plaintiff has filed particulars and declaration, with notice to plead in eight days, when judgment shall be final.

Where action is for damages and defendant does not appear, damages must be assessed.

Limitation of Actions—Actions of trespass, detinue, trover, replevin and debt, within six years. Actions of trespass, assault battery, wounding and imprisonment, within one year.

Actions for the recovery of lands, moneys secured by mortgage, judgment or lien, or otherwise chargeable upon any land, and actions upon any deed, covenant or instrument under seal shall be brought within 20 years. Part payment or acknowledgment in writing will extend the period of limitation.

Married Women—A married woman is entitled to have and to hold as her separate property all real and personal property which she shall acquire. She may sue or be sued in her own name in regard to her separate property. To carry on a separate trade she must get a protection order. She has the right of dower in her husband's lands.

Registry—Deeds executed in the Province must be executed in presence of a witness, who shall make oath of its execution before the Registrar of Deeds, or before a Commissioner for taking acknowledgment to deeds, or the party executing the deed may acknowledge its execution before either of the said functionaries.

Deeds may be proved out of the Province as well in Foreign Countries in the British Dominions by the oath of a subscribing witness to be administered by a commissioner appointed to take acknowledgment to deeds out of the Province by a Judge of a Court of Record, by a Mayor of any city, or by a Notary Public, or the grantee may acknowledge the execution before any of them.

To bind lands all deeds must be registered in the registry office for the county in which the lands are situated. (There is no registry office in Kings County, and deeds of lands in that County must be registered in Queens County). And unregistered deeds or mortgages are void against any purchaser or mortgagee for valuable consideration who shall first register his deed or mortgage.

Wills—No person under the age of 21 years can make a will. A married woman as regards her separate property can make a will without her husband's consent. Otherwise his consent must be obtained. No will is valid unless in writing, signed at the foot by the testator. He must sign in the presence of two witnesses who must both be present at the same time and both see the testator and each other sign. Change of domicile will not affect the will. Marriage will, except where the will is made in exercise of a power of appointment.

Property situated within the Province disposed of by will, if it amounts in value to \$3,000, after payment of all debts and expenses, is subject to a succession duty if testator has not certain relatives.

This duty is also chargeable upon intestate estates, the value whereof exceeds \$3,000, in the absence of certain relatives.

Intestacy—The estate of a person dying intestate is administered by the Court of Probate, but the Court of Chancery has jurisdiction in an administration by a creditor to administer the estate in that Court. In the Probate Court administration is granted first to the widow or next of kin, and, if they do not voluntarily take or renounce, then it is committed to the principal creditor. The administrator is required to file a bond with sureties, also an inventory of both real and personal estates, and can be cited to a final accounting at the end of 12 months. He has no title to the real estate except in cases where the personalty is insufficient to pay the debts. In the latter case on application to the Court a license to sell the real estate, or sufficient thereof to pay the debts, is granted. The creditors are required to file their accounts with the administrator duly attested to.

THE
CANADIAN
LAW LIST

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1901



QUEBEC.

PUBLISHED BY
THE CANADIAN LEGAL PUBLISHING COMPANY
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QUEBEC.

The Queen's Bench and Superior Court Judiciary Officials, Etc.

COURT OF QUEENS BENCH.

APPEAL SIDE.

Chief Justice:

Hon. Sir Alexander Lacoste, Kt.

Puisne Judges:

Hon. J. G. Bosse, Hon. J. Blanchet, Hon. R. N. Hall, Hon. J. S. C. Wurtele.

Officers of the Court—J. O. Joseph, Q.C., Clerk of Appeals for Montreal; Louis Ouimet, Deputy Clerk of Appeals for Montreal; W. C. Duggan, Clerk of Appeals for Quebec; Joseph Nadeau, Deputy Clerk of Appeals for Quebec.

CROWN SIDE.

Same Judges as for Appeal Side.

Officers of the Court—L. W. Sicotte, Clerk of the Crown; U. Lafontaine, Deputy Clerk of the Crown and Accountant; A. E. Corriveau, Charles Benoit, Deputy Clerks of the Crown; A. Hamilton, Clerk.

SUPERIOR COURT.

QUEBEC DISTRICT.

Chief Justice—Hon. Sir Louis E. N. Casault, Kt.

MONTREAL DISTRICT.

Sir Melbourne M. Tait, Kt., Senior Puisne Judge.

VICE-ADMIRALTY COURT.

Judge—Hon. Adolphe Bazile Routhier, Q.C.

Registrar—J. Dunbar, Q.C.

Marshall—J. B. Parkyn.

COURTS OF GENERAL SESSIONS OF THE PEACE, SPECIAL SES- SIONS AND POLICE MAGISTRATES.

Montreal—M. C. Desnoyers, L. W. Sicotte, F. X. Choquette, N. Lafontaine, presiding Justices and Police Magistrates.

Quebec—Hon. A. Chauveau, Q.C., Panet Angers, presiding Justices and Police Magistrates.

RECORDER'S COURT.

Montreal—A. E. Poirier, R. Stanley Weir, Recorders; L. A. Lefebvre, Clerk Quebec—E. A. Dery, Recorder; E. Foley, Clerk

SUPERIOR COURT IN REVIEW.

Montreal—L. H. Collard, Dy. Clerk in Review Clerk of Review Days—being days fixed by Judges every month except July and August.

SUPERIOR COURT. QUEBEC.

Sitting in Review—P. B. Casgrain, Q.C., Clerk. Review days, the last four days in each month except July and August.

CIRCUIT COURT OF THE DISTRICT OF MONTREAL.

Judges—C. L. Champagne, John Daly Purcell, Achille Dorion.

Clerk—A. Cherrier

CANADIAN BAR ASSOCIATION.

Hon. President:

Rt. Hon. Sir Wilfrid Laurier, K.C.M.G., P.C.

President:

Emilius Irving, Q.C., Toronto.

Secretary:

A. Falconer, Montreal.

Treasurer:

C. B. Carter, Q.C., Montreal.

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COUNCIL.

Ex-officio.

Hon. David Mills, Q.C., M.P., Minister of Justice, Ottawa;
Hon. Chas. Fitzpatrick, Q.C., M.P., Solicitor General, Ottawa.

Elected.

O. A. Howland, Toronto; Wm. Lount, Q.C., Toronto; F. H. Chrysler, Q.C., Ottawa; J. E. Farewell, Q.C., Whithy; Matthew Wilson, Q.C., Chatham; D. Macmaster, Q.C., Montreal; F. L. Beique, Q.C., Montreal; Hon. C. A. Geoffrion, Q.C., Montreal; W. C. Languedoc, Q.C., Quebec; Hon. R. Dandurand, Montreal; R. L. Borden, Q.C., Halifax; F. B. Wade, Q.C., Bridgewater; C. S. Harrington, Q.C., Halifax; Hon. L. G. Power, Q.C., Halifax; Hon. Wm. Pugsley, Q.C., St. John, N.B.; A. A. Stockton, Q.C., St. John, N.B.; Hon. H. L. Davies, Q.C., Ottawa; Hon. A. B. Warburton, Q.C., Charlottetown; W. S. Stewart, Q.C., Charlottetown; Hon. Sir C. H. Tupper, Q.C., Victoria; J. S. Ewart, Q.C., Winnipeg.

CONSTITUTION.

Article 1—This Association shall be known as the Canadian Bar Association. Its objects shall be to advance the science of jurisprudence and international law; to promote the administration of justice; to secure proper legislation; to uphold the honor and dignity of the profession of the law, and to encourage cordial intercourse among the members of the profession in Canada.

Article 2—Any person shall be eligible to membership in this Association who is a barrister of any Province of Canada, and who shall be nominated as hereinafter provided.

Article 3—The following officers shall be elected at each annual meeting for the year ensuing: An Honorary President, a President, one Vice-President for each Province, a Secretary, a Treasurer, and a Council, consisting of the President, the Vice-President from each Province, the Secretary, the Treasurer and twenty-one other members; of which Council five shall be a quorum. The Minister of Justice and the Solicitor-General of Canada for the time being shall be ex officio members of the Council.

Article 4—The Council shall be the Executive Committee of the Association. It shall appoint such committees as it shall deem proper and necessary for the carrying out of the objects of the Association. All by-laws shall be made by the Council; shall be reported to the next annual meeting ensuing their adoption, and may be repealed or amended by the Association.

Article 5—Each member shall pay five dollars as entrance fee, and each year thereafter such annual fee not exceeding five dollars, as the by-laws shall prescribe.

Article 6—The word "province" whenever used in this Constitution, shall be deemed to be equivalent to "Province and Territory of Canada."

Article 7—All members of the conference signing the constitution shall become members of the Association upon payment of the entrance fee.

Article 8—Thereafter election of all members shall be made by the Council, in such manner as may be prescribed by by-law.

QUEBEC BAR ASSOCIATIONS.

BAR OF ARTHABASKA

OFFICERS.

Batonnier—J. S. Doncet.

Syndic—A. T. Paré.

Treasurer—P. H. Côte.

Secretary—Auguste Noel.

Council—W. J. Watts, J. E. Methot, J. C. Noel.

Examiners—J. E. Méthot, P. H. Côte.

BAR OF BEDFORD.

OFFICERS.

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W. Sicotte, Jr., Charles
A. Barnard, Louis Si-
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Stephens & Hutchins. C.

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A. Hutchins

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Taillefer, Eph

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Q.C., L. J. S. Morin,
LL.B.

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Tucker, Henr.

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Weir, W. A.

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O'Halloran, A. W. P.
Buchanan

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Iberville

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226 **New Carlisle**—Dist.

Gaspe

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229 **Papineauville**—Dis-
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Mackay, Aug. S.

230 **Perce**—District

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230a **Plessisville**—Dist.

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Belleau

Bergeron, Robert.

Bouffard & Pelletier, E.

Bouffard, A. Pelletier

Burroughs, L. F.

Campbell, R.

Cannon, L. J.

Cannon, L. A.

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Q.C., C. E. Brodie, T.

G. Carbray

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Chabot, G. N. G.

Chabot, Marcel

Chasse, Honore

Cook & Cook. W. Cook,

Q.C., A. H. Cook, A.

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Daryeau, C. C. R.

Davidson, W. H.

DeGuisse, Chas.

Demers, L. G.

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Dionne & Grenier. J.

A. Dionne, L. P. Grenier

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P. Pelletier, Q.C., J. B.

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Fiset, J. E. Chapleau

Fitzpatrick, Parent,**Taschereau & Roy.**

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Q.C., Hon. S. N. Par-

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Flynn, Hon. E. J., Q.C.,

Fortin, J. E.

Fremont, J. J. T.

Gagnon & Corriveau, J.

A. M. Gagnon, A. Cor-

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Guay, Rodolphe

Hamel, Tessier & Tes-

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U. J. Tessier, Hon.

Jules Tessier

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Hudson, Jos.

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Joly de Lotbiniere. E. G.

Jones, G. E. A.

Lampson, G.

Lanctot, Charles

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W. Langlois,

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Lapointe, U.

Lloyd, J. H.

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- 236 **St. Andrews**—Dist.
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- 237 **St. Anne de la Parade**—Dist. Trois Rivières
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- 238 **St. Eustache**—Dist.
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- 239 **St. Francois**—Dist.
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- 241 **St. George**—District
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- 242 **St. Hyacinthe**—Dist
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- 245 **St. Joseph de la Beauce**—Dis. Beauce
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- 217 **St. Marie**—District
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- 218 **St. Remi**—District
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- 219 **St. Scholastique**—
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- 250 **St. Therese**—District
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- 251 **Sherbrooke**—Dist.
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Campbell & Deschamps,
F. Campbell, S. Des-
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Camirand, J. A.
Cate, Wells & White, C.
W. Cate, J. P. Wells,
Charles White
Chicoyne, J. A.
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- 252 **Sorel**—Dist. Richelieu
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- 253 **Stanstead**—Dist. St.
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- 254 **Sweetsburg**—Dist.
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- 255 **Trois Rivières**—
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- 226 **Valleyfield**—District
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- 257 **Waterloo**—District
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- 258 **Yamachiche**—Dist.
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Alphabetical List of Advocates in Quebec.

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DISTRICTS.	REGISTRATION DISTRICT	REGISTRARS.	ADDRESS.	PROTHONOTAIRES.	ADDRESS.
ARTABASKA	Artabaska Dist.	M. J. A. Poisson	Artabaskaville		
"	Drummond Comte	Bernard & Millar	Drummondville		Artabaskaville.
"	Mégantic Comte.	W. H. Lamby	Inverness		
BEAUC	Beauce Dist.	Taschereaux Fortier	St. François		St. François.
"	Dorchester Comte	F. S. Fortier	St. Henri		
BEAUBARNBOIS	Beaubarnois Dist.	Joseph Mayer	Beaubarnois		Beaubarnois
"	Charlevoix Comte	J. B. Poupart	St. Martin		
"	Huntingdon Comte	J. C. Bruce	Huntingdon		
BELOFORD	Beloford Dist.				
"	Picope Comte	H. S. Foster	Knowlton		
"	Shelford Comte	Jos. H. LeFebvre	Waterloo		Sweetsburg
"	Missisquoi Comte	Edwin F. Currie	Bedford		
CHICOUTIMI	Chicoutimi Dist.	Thomas Besse	Chicoutimi		Chicoutimi.
GASPE	Gaspé Dist.	Jos. X. Lavoie	Peter		
"	Reville-au-Rocher				
"	Bonaventure Comte	L. P. Lebel	New Carlisle		Peter
"		James Verges	Carlton		New Carlisle
"		B. A. Brassac	Auderset		
HERVILLE	Isles de la Madeleine	Philippe Contant	Herbyville		Herbyville.
"	Herbyville Dist.	A. Richardson	Napierville		
"	Napierville				
"		J. P. Carreau	St. Johns		
JOLIETTE	St. Johns				
"	Joliette Dist.	Lavoie & Gribault	Joliette		
"	L'Assomption Comte	B. Bocher	L'Assomption		Joliette.
"	Montcalm Comte	A. E. Thibodeau	St. Jérôme		
KAMOHASKA	Kamohaska Dist.	Paul Bessant	St. Louis de Kamohaska		Fraserville
"	Temiscouata Comte	L. A. Dumas	Fraserville		
LABILE	Labile Dist.	L. S. Carrier	Buckingham		
LAKE ST. JEAN	La. St. John, No. 1	Napoleon Hudson	Herbyville		
"	" No. 2	J. C. Lindsay	Roberville		
LAPELLE	La. St. John, No. 1				
"	" No. 2				
MONTMAGNY	Montmagny Dist.	Julien Brousseau	La. St. John		
"	Bellevue Comte	H. H. Robertson	Montmagny		Montmagny.
"	Bellevue Comte	Fortunat Bellem	St. Raphaël		
"	L'Isle-Comte	A. G. Verrault	St. Jean Port Joli		

MONTREAL	Montreal East	Vacant	Montreal		
"	West	Auger & Champaign	Montreal	* Hon. Arthur Turcotte	Montreal
"	Vaudreuil Comte	J. N. Lefebvre	St. Michel de Vaudreuil	+ S. W. Sicotte	Montreal
"	Soulanges Comte	Jos. Stephens	Coteau Landing		
"	Vercheres Comte	Jos. Geoffrion	Vercheres	Fleming & Ledue	Hull
OTTAWA	Ottawa Dist.	L. Duhamel	Hull		
PONTIAC	Pontiac Dist. No. 1	Walter Rimer	Byson	Chas. Barsalon	Byson
"	No. 2	J. Maillard	Ville Marie	* Philippe Maloin	Quebec
QUEBEC	Quebec Dist.	Hon. Ed. Remillard	Quebec	+ Ludwig Brunett	Quebec
RICHMOND	Richmond Dist.	Jules Chevalier	Sorel		
"	Yamaska Comte	L. M. Blondin	St. Francois	Dery, A.D. de Grandpre	Sorel
"	Vercheres Comte	J. O. E. Courchesne	St. Francois		
RIMOUSKI	Rimouski Dist.	J. A. Lafortiere	Berthier	Lectendre & Chamberland	Rimouski
"	Comte	J. B. Saucier	St. Jerome de Matane		
SAGUENAY	Saguenay Dist.	Ed. Latendresse	St. Germain de Rimouski		
"	Charlevoix No. 1	O. E. Thibault	Tadoussac	J. A. Martin	Murray Bay
"	No. 2	J. A. Martin	Murray Bay		
ST. FRANCOIS	Stamstead Comte	Jos. Garipey	Base St. Paul		
"	Compton Comte	J. A. N. Thompson	Stamstead Plain		
"	Richmond Comte	W. H. Leonard	Cookshire	Cadana & Aylmer	Sherbrooke
"	Wolfe Comte	John Ewing	Richmond		
ST. HYACINTHE	St. Hyacinthe Dist.	O. Lamoureux	Ham. Sud		
"	Bagot Comte	J. Nault	St. Hyacinthe	Roy & Bouregard	St. Hyacinthe
"	Terrebonne Dist.	Frizeau & Loiseleur	Marieville		
TERREBONNE	Argenteuil Comte	J. Morel and J. Pilon	St. Jerome	DeMontigny & Grignon	St. Jerome
"	Trois Rivières Dist.	L. G. Lachine	La Chute		
"	Maskinonge Comte	J. A. Thiberge	Trois Rivières	* DeLottionville & Dumont	Trois Rivières
"	Nicolet Comte	Geo. F. Calder	Louiseville	+ L. U. A. Genest	
"		R. Kiernan	Becancour		
"		Clovis Caron			
"		J. A. Blondin			

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* Prebendary only.

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District of Arthabaska

Arthabaskaville, H. Garneau,
Elz Pinze, L. Brunnelle,
L. P. Beaudet, E. Le-
blanc
Drummondville, Victor Gau-
thier
Inverness, James E. Ten-
carre, T. H. Roussenn,
Thos. McK. Hogg
L'Avenir, Moise Cloutier
Leeds, Nap. Lemieux
Plessisville, A. Bourke, L.
H. Grenier
St. Ferdinand, L. Cote dit
Frechette, Arthur Fortier
St. Germain de Grantham,
Louis Sarrasin, Jr.
St. Julie de Somerset, J.
Honore Godbout
St. Norbert, Edmund Skil-
ling
St. Pierre de Durham. See
L'Avenir
Stanford, Ludger Brunelle,
Alexandre Beaudette
Theftord Mines, Theo. Cyr
Warwick, Pierre Brunette

District of Beauce

Lac Megantic, Benj. La-
chance
St. Bernard, E. Chabot
St. Come, Gabriel Berberi
St. Evariste de Forsyth,
Joseph Boutin
St. Francois, Alfred Lam-
bert
St. George, Jos. Morin
Ste. Germaine, E. Dallaire
St. Henedine Adolphe Dion
St. Joseph de Beauce Theo-
phile Chasse, B. Michaud,
L. Poulin
St. Marie de Beauce, Ho-
nore Ferland
St. Martin, Honoré Poulin
St. Vital de Landton,
Zephyrin Gendron

Dist. of Beauharnois

Beauharnois, M. Hebert, L.
Legault
Dundee, Wm. F. Morris

Franklin Centre, A. Roy
Hemmingford, R. Ellerton
Huntingdon, Wm. D. Mc-
Callum, W. F. McCallum
Ormstown, L. Prgent
St. Anicet, Stanislas Dupuis
Ste. Barbe, A. Benoit
St. Jean Chrysostôme, F. De
Lisle, Thelie Hebert
St. Louis de Gonzague, N.
Leger
Ste. Martine, U. Lazare
St. Stanislas de Kostka,
Thomas Duran
St. Timothee, H. Belair
Valleyfield, Chas. French,
P. Desparois, Alfred Le-
febvre, J. U. Bidard, Wm.
St. Arnault, J. E. Toirier

Dist. of Bedford

Abercorn, C. W. Thibault
Bedford, J. Douglas, John
McAleer
Bolton Centre, Ira E.
Mooney (also qualified to
practice in the Dist. of
St. Francis).
Cowansville, Wm. Steven-
son
Dunham, H. H. Lewis
Eastman, A. Wright
Egypte, D. Chaput, J. Four-
nier, P. A. Portelance
Farnham, J. Bte. Jasnina,
Frelighsburn, G. C. Chad-
burn
Granby, O. N. Pate,
Knowlton, C. W. Beals
Mansonville, J. L. Perkins,
C. Bowen
Roxton Falls, C. Bourbonn-
iere
Stanbridge East, H. G.
Phelps
St. Armand West, G. S.
Sixby
Ste. Piedentienne, P. Dion
Sutton, C. W. Thibault
Sweetzburg, H. Chadburn,
Geo. N. Galer, Thos. R.
Pickel
Valcourt, P. P. Bisson-
nette

Waterloo, P. Ledoux, L.
Poulin, D. Fontaine

Dist. of Chicoutimi

Chambord, A. E. Bedard,
E. LaPointe
Chicoutimi, N. Grenon, S.
Menard, Cam. Fournier
Hebertville, A. Hudson, E.
D. Ouellet
Mistassini, J. B. Hudon
Roberval, L. Paradis,
St. Alexis, G. Tremblay
St. Alphonse, A. Potvin
St. Felicien, A. Jobin
St. Gedeon, G. Potvin
St. Jerome, Ad. Couture
St. Joseph d'Alma, A.
Tremblay, Gd. Verrean
St. Prime, T. J. Fradet

Dist. of Gaspé

Barachois de Malbaie, L.
P. Tapp
Cap des Rosiers, F. Smith
Douglasstown, David Ken-
nedy
Gaspé Basin, Jos. Joncas
Isidore Morin
Grand Riviere, Alex. Le
breux, Thos. A. Beaudin
Jersey Cove, Paul Ouellet
L'Anse au Griffon, P.
Therault
Little Bonaventure, F. Poi-
rier
Malbay, Thos. S. Vardon
New Carlisle, Jos. A. Lebel
New Port, Thos. W. Jessop
New Richmond, J. Robertson
Nouvelle (West), H. Arse-
neau
Perce, F. X. Caron, jr., J.
O. Boucher, Philip Le-
Boutellier, jr.
Petit Cap, J. B. Jalbert
Petite Riviere Est, Henry
Jones
Point St. Peter, Thos. S.
Vardon
Port Daniel, John Jones
Riviere-au-Renard, George
Gauthier, Jos. Preston
Seal Cove, John White
St. Adelaide de Pabos,
T. Jones
Ste. Anne des Mouts, A. J.
Sasseville, J. Bte. Sasse-
ville

District of Iberville

Lacolle, P. E. Carbiere
St. Alexandre C. Marcoux
St. Cyprien, T. T. Moisan
St. Edward of Napierville,
N. Belouin
St. George de Henryville
P. H. Martin
St. John's, A. Lanier, E.
Marcoux, P. Masse, Eu-
gene Marcoux
St. Michel Henri, A. Hame-
lin
St. Remy, A. Collette, St.
Valentine, Moise Rhea-
ume

District of Joliet

Berthier, F. Tanguay, O.
Olivier
Joliette, C. Dugas, A.
Levesque, Andre Tur-
cotte, L. J. Martel
L'Assomption, J. M. Gau-
vin, J. O. Dorion
L'Epiphanie, L. Riepelle
Les Laurentides, G. Gau-
vreau, O. Mireault
Masconche, F. Desloug-
champs
Rawdon, P. Octave Morin
St. Bartholomy, W. Draun-
ville
St. Calixte de Kilkenny,
M. Duval
St. Felix de Valois, L.
Dauphin
St. Gabriel de Brandon,
Ulric Granger
St. Jacques, Emile Racette
St. Julieime, O. Mireault,
Arnoldi Roy, Alfred Per-
reault
St. Michel de Saints, Jos.
Labreche
St. Norbert, E. Ducharme
St. Roch, L. Poitras
St. Theodore de Chertsey,
Desire Gaudet

Dist. of Kamouraska

Fraserville, A. V. Cham-
berland, E. A. Doucet,
High Constable, Paul C.
Dupuy.
Isle Verte, E. Gauthier
Kamouraska, C. T. Dugal
Notre Dame du Lac Temis-
conata, E. Dumont
Riviere Ouette, P. Lamarre

St. Alexandre, U. Ouellet
 St. Anne de la Pocatiere,
 Jos. Sirois, G. N. Rouleau
 St. Pascal, A. Laforest
 St. Paul de la Croix, A.
 Boucher
 St. Philippe de Neri, D.
 Dionne
 Trois Pistoles, Wm. Dionne,

Dist. of Montmagny

Cap. St. Ignace, M. Guimond
 L'Islet, B. Laflamme, E.
 Paquette, P. Celestin,
 Gabed P. Servais, L. D.
 Cloutier, E. Caron
 St. Francois Riviere du Sud,
 Celestin E. Boulet
 St. Jean Port Joli, O. Caron
 P. H. Fournier
 St. Michel, D. Gagon
 St. Pamphile, R. Blanchet
 St. Valies, H. L. Corriveau
 St. Raphael, A. Gegnon
 St. Roch, P. M. Dechene

Montreal City

Bachand, L. E.
 Bastien, Alphonse
 Beaudien, Jos. H.
 Bienjonetti, Pierre
 Bleau, Eugene
 Bourassa, Joseph
 Breux, Jos.
 Caisse, Joseph
 Chales, Chas.
 Cherrier, Anatole
 Choquette, Joseph
 Cingmars, H. A.
 Contle, Olivier
 Cuisset, A.
 Dandurand, Moise
 Dansereau, Jos.
 Dansereau, Philippe
 Daoust, Olivier
 Darveau, Gustave
 Decelles, M. J. A.
 Deleourt, J. E.
 Deserre, Phillippe
 Desèves, Adolphe
 Desjardins, Roch
 Desormeau, G. H.
 Deziel, Nap.
 Demas, Wilfrid
 Durocher, J. E.
 Fiorinaz, Francis
 Fischer, Chas. A. L.
 Fortier, Damase

Gagner, A. R.
 Gendron, L. A.
 Godin, F. B.
 Granger, C.
 Gravel, L.
 Henault, Damien
 Jette, T. C.
 Jette, M., Sheriff's office
 La Fontaine, Godefroi
 La Jeunesse, Horm
 Lamarche, T. B.
 Lamoix, Desiré
 Lafebvre, Narcisse
 Lafortune, Theo.
 Le Ber, T.
 Lauthier, Elie
 Laverdure, Adrien
 Lavery, J. S.
 Leclerc, Paschal
 Marson, S. C.
 Mircault, Donat
 Patenaude, Pierre
 Payette, Damase
 Penand, A. I.
 Perrault, J. B.
 Phaneuf, E. G.
 Reid, Walter
 Renaud, J. A.
 Robillard, N. C.
 Rochon, Elie
 Roy, Jos.
 Roy, Noel
 Smith, Wm. W.
 St. Amand, C., Sheriff's of-
 fice
 St. Amour, Damase A.
 St. Arnaud, F. X.
 Tessier, Louis
 Thibault, Frs.
 Thibault, Jos.
 Thouin, Paul
 Toussant, Thout
 Watier, Aug.
 Watson, George

Montreal District

Belocil, L., Auger, L. Mil-
 loffe
 Boucherville, N. Germain
 Coteau Landing, W. Them-
 ens
 Coteau de Lac, Nap. St.
 Amour
 Lachine, C. H. Poirier
 Laprairie, A. Thomas
 Longueuil, F. X. Lefebvre
 Z. P. St. Marie
 Ville St. Louis, Louis
 Bisson

Point Claire, E. Aumais
Rigaud, L. J. O. Chevrier
Sault au Rocolet, C. Cor-
belle

Ste. Anne de Bellevue, A.
L. J. Crevier

St. Antoine, L. Milotte

St. Clet, N. Menard, Adrien
Rouleau

St. Constant, A. Matte

St. Geneviere, E. Lanthier
and Prevost Leger

St. Justin de Newton, A.
Danis

St. Laurent, J. V. Cardinal

St. Louis, L. Bisson

St. Marthe, M. Berthiaume

St. Martin, C. Gratton

St. Polycarpe, L. Daoust

St. Rose, S. Chartrand, Jos.
Leonard

St. Telesphore, E. Lanthier

St. Vincent de Paul, L. Gui-
mond

St. Zotique, Frs. Lalonde
Vaudreuil, J. G. V. Vinet

Vercheres (vacant)

District of Ottawa

Aylmer, L. Z. Charbonneau,
Henry Cole

Buckingham, Adol. Char-
bonneau, J. C. Cummings,
David Roy

Cheniville, G. H. Chenier
Gatineau Point, Onezime

Groulx, and High Con-
stable of Hull, Jos. Con-
sineau, Theo. Charette

Hull (City), Wm. H. Car-
ter, G. Clouston, Louis de

Coeli, Urbain Viau, H.
N. Lacroix, L. Genest,

O. Groulx

L'Ange, Gardien, Leonard
Moncton

Maniwaki, A. J. Nault

Masson, Emil Labourin

Montebello, L. R. Poulin,
Nominigue, Roch Jette

North Nation Mill, O.
Charron

Notre Dame du Lans,
Anlin Samodet

Papineauville, P. Tetrault

V. Lalonde, J. E. Lacoste
Ripon, T. Ledue

St. Andre d'Avelin, D.
Bourgeois

St. Jonite, G. Giard

Thurso, Donald McLean,
Daniel McGillivray

Dist. of Pontiac

Bryson, E. B. D. Laffleur,
Wm. Bolam

Chapeau, E. J. Smith, Jas.
Fitzpatrick

Fort Coulonge, J. Frost

Quyion, Wm. Harrisson, H.
McKechnie

Shawville, Wm. Elliott,

Ville Marie, C. Latour, J.
A. Racicot, H. Laperriere

Yarn, Wm. Belsher

Dist. of Quebec

Ancienne Lorette, J. E.
Pageot

Beauport, Francois L. Gir-
oux

Cap Sante, S. Delisle

Chateau Richer, E. Gravel,
J. O. Gravel

Lauzon, M. Leclerc

Lachevratiere, J. G. Pa-
quin

Leclercville, Zepherin Beau-
det

Levis, J. N. Fournier, J. S.
Fournier

Janne Lorette, J. Richard
Notre de Victorie, J. A.

Blondin

Portneuf, J. Omer, Mori-
sette

Quebec (City), O. Brous-
seau, Charles Casault,

Narcisse Lorient, N. Ser-
vais, J. Casault, L. T.

Poitras, Jean Richard,
Geo. O. Vidal, Victor

Cleroult, B. Trudeau

Riviere a Pierre, Augustin
Delisle

St. Agapit, Francois De-
mers

St. Ambroise Jeanne Lorette
Joseph Richard

St. Anne de Beaupre, E.
Morel, J. P. Moisan

St. Antoine de Tilly, Lud-
ger Laffleur

St. Basile, W. Hardy

St. Bridgette de Laval,
Patrick Brown

St. Casimir, Joseph Lang-
lois, J. A. Belanger

Ste. Croix, A. Bourque

St. Jean des Chaillons, E.
Chandonnet.
St. Jean Isle d'Orleans,
Pierre Pouliot
St. Joachim, Odéus Guérin
St. Louis, L. E. Thibau-
deau, A. Page
St. Nicolas, B. Ollivier
St. Philomène de Fortier-
ville, H. Tousignant
St. Raymond, G. Plomondon
St. Romuald, A. Lambert
St. Sylvestre, Jos. Payeur
N. D. des Anges, A. Clavel

Dist. of Richelieu

Contrecoeur, L. N. Bonin
Sorel, C. Weillbrenner, J.
M. Charland, Z. Panlet,
D. Roberge, P. Prince
St. Aime, J. Vigent
St. Antoine, Louis Millotte
St. Elphège (vacant).
St. François du Lac, U.
Turcotte
St. Guillaume, G. W. Pelle-
tier, J. A. Melancon
St. Ours, Chas. Papillon
St. Thomas de Pierreville,
Jos. O. Weillbrenner
St. Zéphirin de Courval,
Moise Lefebvre.
Varembes, C. J. Langlois
Vercheres, J. A. Debien

District of Rimouski

Amqui, L. Pouliot
Cedar Hall, L. Paquet
Matane, O. Dionne, J. C.
Joncas, Vital Charest
Metis, E. Houdou, A. M.
Labbe
Price, P. Bourgoïn
Rimouski, H. Martin, E.
Thériault, J. C. Gauvreau,
C. A. St. Pierre
Sandy Bay, O. Levesque
St. Fabien, N. Fortin
St. Flavie, L. P. Joubert,
L. Duperré
Ste. Luce, L. Miller

District of Saguenay

Asbestos, John B. Noël
Baie St. Paul, Ed. Comon,
Bon Desiré, E. Simard
Escuminas, P. Gauthier
Les Emboulements, O.
Desgagnés, Jos. Rouillard

St. Etienne (Malbaie), D.
Roy, S. Brassard, L.
Guay, L. A. Chapron,
T. Gagnon
Ste. Fidele, F. Tremblay
St. Hilarion, E. Desmeules,
N. Contombe
St. Siméon, J. Tremblay
Tadoussac, E. T. Dumont

Dist. of St. Francis

Auckland, J. Lemieux
Coaticooke, J. S. Beaufort,
C. Merrill, S. B. Ham-
phrey, S. C. Lebourveau
Cookshire, W. C. Willford
Compton, Warren W. Paig
Danville, A. E. Lee
Duxville, Ozro Baldwin
Doddswell, Henry Cunnin-
gham,
Eaton Corner, Walter Nutt
Lake Megantic, B. La-
chance
Longwick, Geo. W. Beard
Magog, Chas. Foucher, Ar-
thur Gendron
Marbleton, W. M. Bishop
North Ham, Jos. Verville
Richmond, John H. Dyson,
A. J. Taylor.
Robinson Bury, Robert W.
Wright
Rock Island, W. L. Abbott
Scotstown, G. Culver, Geo.
Beard
Sherbrooke, Geo. Champoux,
Edwin S. Foss, R. A. Biron,
Frank H. Thomas, Jean
A. Precourt, C. N. Du-
bayer, J. P. Robert, J. O.
Gauthier, W. J. Woosley,
W. J. Crochetière
Stanstead, Everett A. Fox,
Edson B. Barry, Ed-
ward W. Hovey
St. Francis Xavier de
Brompton
South Ham, P. Lemieux,
D. E. Lemieux
Weedon, Casimir Fontaine,
Louis Bernier
Windsor Mills, Ls. Duches-
neau, Rémé Racicot
Dist. of St. Hyacinthe
Acton Vale, Jean Bte. Bois-
clair, Chas. Laliberte
Marieville, A. Fournier, J.
Penton

St. Cesaire, L. J. Masse, A.
 Pepin
 St. Denis, G. Rolland
 St. Hilaire, A. Authier
 St. Hyacinthe, N. Girard,
 J. Wingender, J. A. Ca-
 dotte, H. Brunelle
 St. Hughes, A. Houle
 Upton, G. E. Hetu
 St. Pie, Antime Joneas

Dist. of Terrebonne

Carillon, H. C. S. Bryerton
 Calumet, Ed. C. Whinfield
 Grenville, T. A. Cummings
 St. Adele, P. Longpre, L.
 Longpre
 Ste. Agathe des Monts, L.
 F. Loiseau, V. Garceau
 St. Augustin, P. Filon
 St. Eustache, L. Miller, D.
 Ethier
 St. Jerome, G. Guenette,
 D. Prudhomme, T. Grig-
 non
 St. Jovite, J. Leonard, G.
 Giard
 Ste. Scholastique, M. Bras-
 cau, Edmund Onellett
 Ste. Sophie, U. Levesques
 Ste. Therese, P. A. Gascon

Dist. of Three Rivers

Batiscan, P. Cossette
 Louiseville, L. D. Caron
 G. Caron
 Maskinonge, Denis Plante
 Nicolet, P. J. O. Rousseau
 Ste. Anne de la Perade, J.
 E. Douville, F. L. Fleche
 St. Barnabe, N. Bourassa
 St. Boniface, Max. Gelinas,
 L. Desaulniers
 Ste. Genevieve de Batiscan,
 Jos. Lefebvre
 Ste. Gertrude, E. Lavigne
 Ste. Gregoire, M. Martin
 St. Jacques des Piles, Ulric
 Neault
 Ste. Monique, O. Lauziere
 St. Paulin, C. Bourassa
 St. Pierre les Becquets, J.
 P. Demers
 Ste. Sophie de Levrard, P.
 Monfette
 St. Tite, O. Lafontaine
 Ste. Ursule, T. Lambert
 Three Rivers (City), Jos.
 Bellefueille, O. Panneton,
 J. W. Lariviere, D. T.
 Morrisette, P. E. Vezina,
 Wm. Chagnon

SYNOPSIS OF THE LAWS OF QUEBEC.

Compiled by Messrs. Blair & Laverty, Advocates of the
Quebec Bar, Montreal.

(Revised to 1st January, 1904.)

Arrest for Debt—The debtor is liable to arrest by *capias ad respondendum* when the creditor's claim amounts to \$50 or upwards, upon production of an affidavit of the plaintiff, or his agent, setting forth one or more of the following facts:—

1. That the debtor is about, immediately, to leave the Provinces of Quebec and Ontario, with intent to defraud his creditors in general, or the plaintiff in particular.

2. That he has secreted, or made away with his property and effects, or is immediately about to do so with like intent.

3. That he is a trader, has failed to meet his payments, and has refused to make judicial abandonment of his property for the benefit of his creditors.

Capias will not issue if the debt be contracted, or is made payable, without the limits of the Province of Quebec or Ontario, nor does it lie against clergymen, septuagenarians or females.

Assignments—In the absence of an insolvent law our Code of Procedure enacts that a creditor holding an unsecured claim of \$200 and upwards may make a demand upon his insolvent debtor to file a judicial abandonment of his property for the benefit of his creditors, and in default of the debtor filing within two days a written consent to abandon and making the abandonment within four days, he may be arrested, and the Court may appoint a provisional guardian to take possession of his estate. If the insolvent debtor has absconded the Court may make a like order. Subsequently, upon the advice of the creditors, a curator is appointed by the Court, who takes charge of the debtor's estate, subject to the supervision of the creditors and the order of the Court. The curator realizes the estate and distributes the proceeds, the costs and privileged claims ranking first, and afterwards the ordinary claims *pro rata*. The debtor is not discharged by this abandonment from his debts; the law merely provides for the equitable distribution of the estate and the suspension of proceedings by individual creditors carrying costs against the estate. Judgment can be entered against an insolvent debtor notwithstanding the abandonment if the claim be not prescribed, but the costs do not rank against the estate. If the creditor making the demand of abandonment be a non resident he must give a special power of attorney to a resident to act on his behalf, and must at the same time file his sworn claim, supported by vouchers.

The order of privileged claims on movable property is as follows: (1) Law costs and all expenses incurred in the interest of the mass of the creditors. (2) Tithes. (3) The claims of the ven-

dor. (4) The claims of creditors who have a right of pledge or retention. (5) Funeral expenses. (6) The expenses of last illness. (7) Municipal taxes. (8) Landlord's claim. (9) Servants' wages, and sums due for supplies of provisions. (10) Claims of the Crown against persons accountable for its moneys. The privileges specified under numbers 5, 6, 7, 9 and 10, extend to all the movable property of the debtor. The others are special and effect only some particular objects. The unpaid vendor of a thing has two privileges: (a) A right to revendicate. (b) The right of preference upon the price. In the case of an insolvent debtor these rights must be exercised within thirty days after delivery. The right to revendicate is subject to four conditions: (1) The sale must have been for cash. (2) The thing must still be unused, and in the same condition. (3) It must not have passed into the hands of a third party who has paid for it. (4) The right must be exercised within eight days after delivery, saving above provision concerning insolvent traders.

Attachments—The property of a debtor can be attached before judgment as well in his own hands as in the possession of third parties when the amount claimed exceeds \$5, upon the production of an affidavit setting forth any of the charges which are referred to under the head of "Arrest for Debt," with this difference, that there are no restrictions as to the place where the claim was created or made payable, and intent to leave the Province of Quebec alone is a sufficient ground. Attachment for rent requires no affidavit. Attachment after judgment in the hands of third parties is effected by the service upon them of a writ ordering them to retain whatever effects or moneys they may hold belonging to the debtor, or which they may hereafter owe him, and requiring them to appear and specify the same, and upon their delivering over such effects or moneys, as ordered by the Court, they obtain a judicial discharge. A conservatory attachment may be had where there is no other remedy equally convenient, beneficial and effectual upon the production of an affidavit showing cause.

Bankruptcy—See "Assignments."

Bills of Exchange and Promissory Notes—Our law on these matters is governed by the Bills of Exchange Act of Canada which applies to all the provinces.

Bills of Sale and Chattel Mortgages—There is no chattel mortgage in this province. Bills of sale of movable effects may be made, but cannot be considered effective as against other creditors unless the debtor is dispossessed of the property and the same be taken over by the creditor.

Costs, including the fees of attorneys as fixed by tariff, are taxed against the losing party. These costs are taxed to the attorney of the successful party and not to the party himself. A non-resident plaintiff can be required to furnish security for the costs which may be incurred by the defendant, and to produce a power of attorney authorizing his legal attorney or other resident to prosecute the action.

Commissions—In the case of witnesses residing out of the province, commissions may issue to take the evidence of such witnesses upon interrogatories and cross-interrogatories which have been allowed by the Court. Attached to the commission are instructions for its execution. An open commission can only issue by consent of the parties.

Courts, Jurisdiction of. The Province is divided into judicial districts, and a debtor must be summoned before the Court of the District where (1) he has domicile, (2) he is personally served, (3) the right of action accrued or (4) before the Court of the place where the whole or part of his property is situated, when he has left his domicile in the Province or has never had such domicile and the cause of action has not arisen therein, (5) before the Court of the place where the contract was made.

The following are the principal Civil Courts of the province: (1) *The Circuit Court*, which has jurisdiction in most cities to the extent of \$100, and elsewhere to the extent of \$200. There is no appeal from the judgment of this Court when the amount claimed is under \$100. (2) *The Superior Court*, which has original jurisdiction in all civil matters of whatsoever nature and in suits involving an amount over the Circuit Court jurisdiction. The Appellate Courts are: (1) *The Superior Court sitting in Review*, which is presided over by three judges of the Superior Court, and which sits only in the cities of Montreal and Quebec. (2) *The Court of Queen's Bench (appeal side)*, which is presided over by five judges, and which also has its sittings only in the cities of Montreal and Quebec at specified times. When the amount involved is under \$2,000, the judgment of this Court is final; when the amount exceeds this sum or the suit has reference to fees, etc., of the Crown, or future rights, an appeal lies to the *Supreme Court of Canada* sitting at Ottawa. If the amount involved exceeds £500 sterling, an appeal also lies to the *Privy Council* in England, whose decision is final. An appeal also lies in certain cases direct from the Superior Court sitting in review to either the Supreme Court or the Privy Council.

Execution.—In commercial matters and cases of a summary nature, execution can issue eight days after judgment against the debtor's property and effects. In other cases execution can only issue at the expiration of 15 days from date of judgment. It may issue before the above delays upon the filing of a special affidavit showing sufficient cause. (See "Attachments Against Property.")

Exemptions. The debtor may select and withdraw from seizure: (1) The bedding, etc., in use by himself and his family, (2) ordinary wearing apparel, (3) two stoves, their pipes and other accessories, (4) other household effects to the value of \$50; one sewing machine; 50 volumes books; family portraits; (5) fuel and food for three months, (6) one span horses and plow or one yoke oxen, (7) one winter and one summer vehicle with harness, used carter or driver for earning his living, (8) one cow, two pigs, four sheep and agricultural tools generally, (9) tools and implements or other chattels ordinarily used by debtor in his profession, art or trade to the value of \$200 (10) books relating to his profession, art or trade to the value of \$200, (11) bees to the extent of fifteen hives. Most of the above mentioned articles, however, may be seized and sold when the suit is to recover the price of their purchase or when they have been given in pawn. The following are exempt from seizure: (1) Sacred vessels and things used for religious worship, (2) immovables declared by donor or testator or by law to be exempt from seizure, and sums of money or objects given or bequeathed on condition of unseizability, (3) alimentary allowances granted by the Court and sums of money or pensions given as alimony, except for debt of an alimentary nature, (4) pay and pensions of persons belonging to the Army or Navy; fees due to ministers of worship for services, etc., salaries of school teachers, salaries of City or Town Clerks, salaries of Public Officers, with the exception of those in the service of the Province which are seizable for (a) one fifth when salary does not exceed \$1,000 per annum, (b) one quarter from

\$1,000 to \$2,000 per annum, (c) one-third for all salaries exceeding \$2,000; (5) all other salaries and wages at whatever time and in whatever manner payable for: (a) four-fifths when they do not exceed \$3.00 per day, (b) three-quarters when from \$3 to \$6 per day, (c) two-thirds when they exceed \$6 per day; (6) books of account, titles of debt and other papers, but debentures, promissory notes, shares, bank notes, etc., may be seized.

Examination of Judgment Debtor—If execution is returned unsatisfied the creditor may summon the debtor for examination as to his assets, and have an order issue to force him to produce all books, documents, etc.

Fraudulent Conveyances—Creditors may in their own name impeach fraudulent conveyances made by their debtors. A gratuitous conveyance is deemed fraudulent, if the debtor be insolvent at the time of making it. An onerous contract made by a debtor with a person who knows him to be insolvent is deemed to be fraudulent. A payment made to a creditor knowing the insolvency is deemed to be fraudulent, and the creditor may be compelled to restore the amount or thing received, or the value thereof, for the benefit of the creditors generally. Suit to set aside a fraudulent conveyance must be brought within one year from the time of the creditor obtaining a knowledge thereof.

Garnishment—See "Attachments."

Interest—The legal rate of interest in this province is 5 per cent., but any rate may be agreed upon between the parties. There are special laws restricting the rate of interest with regard to certain corporations. Interest is not allowed on open accounts unless specially agreed to.

Judgments in commercial cases, when the debtor makes default, can be secured in from eight to ten days after service. If not appealed from within six months, judgments are final. Judgments are prescribed by thirty years, but as in other cases, prescription can be interrupted by certain proceedings. When registered against an immovable property judgments become an hypothecary claim, with rank from the date of such registration. Judgments rendered by the Courts of any other province of the Dominion in a suit in which the defendant was personally served in that province, or which he has appeared, are binding in this province, but a new action must be taken, based upon such judgment, before the same can be rendered executory here. Judgments rendered out of the Dominion of Canada are of no avail in this province.

Limitation of Actions—Actions for slander, for libel, for wages where an employee is under engagement for less than a year, for hotel and boarding house charges, and for bodily injuries, are prescribed by one year. Actions for seduction, for damages resulting from certain offences, for wages of workmen hired for a year or more, and for teachers' claims, are prescribed by two years. Actions on open accounts, promissory notes, professional fees, and commercial matters generally, are prescribed by five years. Actions for rescission of contracts, restitution to minors, by lesion, for rectification of tutors' accounts, and upon architects' and contractors' warranty, are prescribed by ten years. Actions for all other matters are prescribed by thirty years. In certain cases short prescriptions of three and six months are specially fixed. These apply generally to actions for damage against municipalities, railway companies and certain public corporations.

Married Women—Are either in community of property with their husbands, or they are separate as to property. Separation of pro-

perty must be agreed on by ante-nuptial contract, or may be ordered by judgment of the Court upon cause shown. In the absence of separation of property the wife can hold no movable property in her own name, except what may be willed or bequeathed to her by a third party to be her own private property. The husband during his lifetime has the sole administration of the common property, but at his death, or the dissolution of the community when ordered, the wife takes one-half of the common property. The husband can only will his own half. Immoveable property which may belong to the wife before marriage, or coming to her from her parents or other ancestors, does not fall into the community, but belongs to her; the rents of such immoveable property only fall into the community; the wife when separate as to property has the administration thereof, but in the sale or realization she requires the authorization of her husband, or, in the event of his refusal, of a judge. A married woman may be a trader, but she must register her intention of carrying on such trade, and unless she separate as to property is her effects in trade would be responsible for her husband's debts. A wife cannot bind herself or become security for her husband.

Registry for Deeds and Wills—All deeds or wills affecting immoveable property must be registered in order to preserve the rights conveyed thereby, in the office of registration division within which the property is situated. Deeds of donation, marriage contracts and similar documents must be registered in the office of the registration division within which the donor or husband resides.

Taxes—Every commercial corporation carrying on business in this province is obliged to pay a Local Government tax according to the amount of capital paid up, and the business carried on, and an additional tax for each office. The succession tax applies to estate exceeding \$3,000, and ranges from one-half to ten per cent., according to the value of the estates and the relationship of the person who inherits.

These taxes are in addition to the ordinary municipal assessments.

Wills—Persons of the full age of majority (21 years), and of sound intellect, only can make wills, in one of the following forms. 1. **NOTARIAL**—Before two notaries or one notary and two witnesses. This will remains in the custody of the notary, who grants copies which are authentic. 2. **HOLOGRAPH**—Wholly written and signed by the testator, no witnesses being necessary. 3. **ENGLISH FORM**—Which requires to be signed in the presence of two witnesses. The two latter wills must be filed in Court and probate thereof secured.

INTESTACY—In the absence of a will, the estate of a deceased person devolves as follows:—(1) To his legitimate children without distinction of sex. (2) If he leaves no issue, one-half devolves to his parents or survivor of them, and the other half to his brothers and sisters or their descendants. (3) In default of 1 and 2, to ascendants equally, between nearest of paternal and maternal lines. (4) In default of 1, 2 and 3, to collaterals. Relations beyond the twelfth degree do not inherit. If deceased leave no relations within the heritable degree, the succession devolves to the surviving consort, and in default of latter to the Crown. If within three months none of the heirs accept the succession, it is deemed to be vacant, and the creditors can then have a curator appointed, who has the administration of the estate. If the succession appears to be more onerous than profitable, the heirs may accept the same under benefit of inventory. This has the effect of limiting their liability for the debts of the succession to the amount received therefrom, otherwise they would be responsible for all the debts, irrespective of the value of the estate. If there be property without the limits of the province belonging to the estate, the heirs can obtain from the Court the letters of verification.

THE
CANADIAN
LAW LIST

(HARDY'S)

1901



NEWFOUNDLAND.

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NEWFOUNDLAND.

Supreme Court of Judicature for Newfoundland.

Having jurisdiction in Law and Equity, and as a Vice-Admiralty Court.

Chief Justice:

Hon. Joseph I. Little.

Judges:

Hon. George H. Emerson. Hon. Donald Morison.

Chief Clerk and Registrar:

D. M. Browning, M.A., Q.C.

OFFICERS OF THE SUPREME COURT.

Masters:

Rt. Hon. Sir W. V. Whiteway, Q.C., Hon. Sir J. S. Winter, Q.C., D. J. Greene, Q.C., G. M. Johnson, Q.C., D. M. Browning, Q.C., E. P. Morris, Q.C., W. H. Howard, Q.C.

Registrar of Deeds—D. M. Browning, Q.C.

Assistant Clerks—Geo. J. Adams, Wm. J. Carroll, D. F. Kent, S. Butler.

Sheriff of Newfoundland:

James Carter.

Crier and Tipstaff:

John Burke.

SESSIONS OF THE SUPREME COURT.

The Winter Session commences at the beginning of the second week in January, and is held for civil business during the second and third weeks in January, the first and second weeks in February and March, and for criminal business during the third week in February.

The Spring Session commences on the first of April, and is held for civil business during the first and second weeks of each of the months of April, May and June, and the fourth week in June, and for criminal trials during the third week in May.

The Fall Session commences on the first of October, and is held for civil business during the first and second weeks of each of the months of October, November and December, and for criminal trials during the third weeks of each of the months of October and November.

SUPREME COURT ON CIRCUIT.

The terms are appointed each year by proclamation of the Governor. The Southern circuit usually extends from Aug. 15th to the 10th Sept., and the Northern from the 15th Sept. to 5th Oct. In

addition there is a sitting of the Northern circuit at Harbour Grace and Brigus from the 28th Oct. to the 6th Nov., and in the spring at Harbour Grace during the first week in May. One Judge of the Supreme Court presides on circuit. The circuits are taken by the Judges in rotation.

DISTRICT COURTS.

DISTRICT.	JUDGE.	CLERK.
St. John's	J. G. Conroy	J. J. Flannery.
Harbour Grace	Alfred Penny	W. J. Lyuel.

THE LAW SOCIETY OF NEWFOUNDLAND.

Visitors:

The Hon. the Judges of the Supreme Court.

*Treasurer.**Secretary.*

Rt. Hon. Sir W. V. Whitney, Q.C. Donald M. Browning, M.A., Q.C.

Benchers ex officio—Rt. Hon. Sir W. V. Whiteway, Q.C., Hon. Sir J. S. Winter, Q.C., D. M. Browning, Q.C., W. H. Howard, Q.C., Q.C.

Benchers elected—D. J. Greene, Q.C., G. M. Johnson, Q.C., E. P. Morris, Q.C., M. W. Furlong, J. A. Clift.

LIST OF BARRISTERS, SOLICITORS, Etc.

Harbour Grace

Kearney, M. A.

St. John's

Ayre, Geo. W. B.

Berteau A. Le C.

Carter, H. H.

Carty, Geo.

Clapp, Wm.

Cleary, J. N.

Clift, J. A.

Conroy, C. O'Neill.

Emerson, C. H.

Footle, S. J.

Furlong, M. W.

Greene, D. J., Q.C.

Hayward, A. O., Q.C.

Horwood, W. H., Q.C.

Hutchings & Blackwood.

C. H. Hutchings, J.

P. Blackwood.

Kearney, M. A.

Kent & Howley, J. M.

Kent, B.A., W. R.

Howley

Knight & Blandford, A.

W. Knight, S.D. Blandford

Knight, H. E.

Lilly, F. D.

McNeily, A. J. W., Q.C.

Morine & Gibbs, A. B.

Morine, Q.C., M. P. Gibbs

Morris, E. P., Q.C.

Morris, F. J.

Murphy, T. J.

Parsons, R. J.

Pitman, J. J.

Shen, Edward

Shen, Joseph

Sullivan, T. P.

Summers, P. J.

White, J. W.

Whiteway & Johnson,

Rt. Hon. Sir W. V.

Whiteway, Q.C., G. M.

Johnson, Q.C., J. J.

McGrath.

Winter, Sir J. S., Q.C.

Wood, Kelly & Mews.

W. E. Wood, W. O'D.

Kelly, F. A. Mews.

SYNOPSIS OF THE LAWS OF NEWFOUNDLAND.

Compiled by Charles O'Neill Conroy, Esq., Barrister, St. John's,
of the Newfoundland Bar.

(Revised to January 1st, 1901.)

Arrest for Debt—A debtor is liable to arrest at any time after the issue of a writ of summons when the creditor's claim exceeds \$50, upon the creditor producing an affidavit setting forth one or more of the following facts: (1.) That the debtor has made, or is about to make, some disposition of his property, or some part thereof. (2.) That he is about to quit the Colony, with intent to defraud his creditors generally or the creditor in particular. (3.) That he is about to quit the colony, and that his absence will materially prejudice the prosecution of the action. (4.) That he is possessed of means of payment of which he has control, and which he withholds from his creditors. Upon the same grounds a judgment debtor is liable to arrest by *capias ad satisfaciendum*.

Assignments—In the event of a conveyance or assignment for the benefit of creditors, the trustees or assignees are liable and compellable to pay out of the first proceeds all creditors who would have preferential claims in the case of a declaration of insolvency; and also, unless a majority in number and value of the creditors shall otherwise agree, to distribute the estate and effects as in the case of insolvency, notwithstanding any contrary provision in the conveyance or assignment; and such trustees or assignees are subject in such distribution to the order and direction of the Supreme Court or a Judge thereof as fully and in like manner as the trustees of the estate of a person declared insolvent.

Attachments—The property of a debtor can be attached at any time after the issue of a writ of summons, as well in his own hands as in the possession of third parties, when the amount claimed exceeds \$20, upon the production of an affidavit setting forth that the said party is indebted in such sum, or upon an order of Court where intended fraudulent dealing with the property can be shewn. The property, debts or effects so attached shall be released upon the debtor giving a bond, with two sufficient sureties, to the sheriff in double the sum sworn to.

Barristers or Solicitors of any of Her Majesty's Superior Courts in any of Her Majesty's Colonies or Provinces in which the same privilege is extended to barristers or solicitors from Newfoundland, may, upon the production of evidence and testimonials to the satisfaction of the Law Society, be admitted as solicitors of the Supreme Court and to practice at the Bar.

Bills of Exchange—The law of the Colony upon this point is the same as the Imperial Act of 1882.

Bills of Sale and Chattel Mortgages—Bills of Sale and Mortgages of personal chattels being deeds of gift or where consideration exceeds \$100, and where possession continues in the grantor or mortgagor, must be registered. If not so registered they shall be void as against a subsequent purchaser or mortgagee for value, and as

against any actual attachment or levy, and as against a trustee in insolvency or assignee under a conveyance for the benefit of creditors. The Conveyancing Act, 1896, provides that certain covenants shall be deemed to be included in conveyances prepared in compliance with the Act.

Commissions.—The Court or a Judge may in any cause make an order for the examination upon oath before any person at any place of any witness, and may empower any party to such cause to give such deposition in evidence on such terms as may seem meet. In the case of witnesses residing out of the Colony, commissions may issue to take the evidence of such witnesses upon interrogatories and cross-interrogatories.

Companies' Law.—The law upon this subject is now contained in "The Companies' Act, 1893," which is in the main a consolidation of the Imperial Acts from 1862 to 1898. Three persons, however, are sufficient to form a Company.

Courts and Jurisdiction.—The Supreme Court is a Court of Record and has all civil and criminal jurisdiction whatever in Newfoundland, and in all lands, islands and territories dependent upon the Government thereof, as fully and amply, to all intents and purposes, as on the 17th day of June, 1824, the Court of Queen's Bench, Common Pleas, Exchequer and High Court of Chancery had in England. The Supreme Court is also a Court of oyer and terminer and general gaol delivery in and for Newfoundland and all places within the Government thereof, and also has jurisdiction in all cases of crimes and misdemeanours committed on the banks of Newfoundland, or any of the seas or islands to which ships or vessels repair from Newfoundland for carrying on the fishery. The Supreme Court is composed of a Chief Justice and two other Judges.

There are two District Courts, namely: the Central District Court, composed of one Judge, and the District Court of Harbour Grace, composed of one Judge. The said Courts are Courts of Record and have jurisdiction in all civil causes in which Courts of Session have jurisdiction to the amount of \$50, and in actions for the wrongful detention of goods and chattels in which the specific return of the said chattels is sought, and where the value thereof does not exceed \$200.

Courts of General and Quarter Sessions may hear and determine in a summary way all civil actions for the recovery of debt and damages to the amount of \$25, except actions in which the title to any land or tenement is in question, and except actions for libel or slander, replevin, malicious prosecution and actions against any Justice of the Peace or other public officer for acts done in the execution of his duty, and may hear and determine all disputes to any amount concerning the wages of servants in the fishery, the supply of bait and the hiring of boats for the fishery, and the wages or share of seals of any person engaged in the seal fishery. The Court of Sessions may be held by one Stipendiary Magistrate. Justices of the Peace have the like powers, authorities and jurisdiction, where the same are not inapplicable, as Justices of the Peace in England. For this purpose the following Acts of the Imperial Parliament are made the law of this Colony so far as the same can be applied, namely: The Act 11 and 12 Vic. c. 42; the Act 11 and 12 Vic. c. 43; the Act 11 and 12 Vic. c. 44; the Act 20 and 21 Vic. c. 43; the Act 28 and 29 Vic. c. 127, and the Act 12 and 13 Vic. c. 49.

Criminal Law.—In all cases not provided for by local enactment, the law of England, as to crimes and offences, is the law of this Colony, so far as the same can be applied. Amendments, alterations

and further enactments of the Imperial Parliament come into force in the Colony after twelve months from the passing thereof. Between the time of the passing of any law and its coming into force in the Colony, the law as it previously stood remains in force.

Evidence—All persons shall be competent and compellable to give evidence upon oath or affirmation, except a person charged in a criminal proceeding, or his or her wife or husband to give evidence for or against himself or herself. The defendant and the husband or wife of defendant is a competent witness in a summary proceeding of a criminal or other nature. Evidence of plaintiff in action of breach of promise of marriage, must be corroborated, and also in actions by or against representatives of a deceased person or person of unsound mind, the evidence of any opposite or interested party shall be corroborated by some other material evidence.

Execution—In the Supreme Court execution may issue forthwith after judgment for the payment of money or costs, or for the recovery of land, and in other cases upon expiration of fourteen days from the date of judgment, unless otherwise ordered. A writ of execution, if unexecuted, shall remain in force for one year only from its issue, unless renewed. In the District Court execution may issue forthwith.

Exemptions—The following property is exempt from distress by the common law, namely: Fixtures, animals *feræ naturæ*, good delivered to a person in the way of trade, things in actual use and goods in the custody of the law. Lodgers' goods are protected from distress for rent due to the superior landlord by Act of 1899.

The working tools and implements of trade of any person, his fishing skiff or punt, the necessary cooking apparatus, the bedding and wearing apparel of himself and his family shall not in any case be liable to or be taken under attachment or execution.

Fraudulent Conveyances—Every charge, mortgage, conveyance, grant, or assignment of the property or effects of an insolvent, or of any part thereof, and every gift, delivery or transfer of any of his goods or chattels, and every payment made by him in money or otherwise, and every cognovit, warrant of attorney, judgment or other security whatsoever paid, made or given by an insolvent within two months prior to his declared insolvency, and with a view to give an undue preference to any creditor, shall be declared to be null and void and of no effect in case the person taking or receiving the same, or for whose benefit the same was taken or received, had notice or was aware of the insolvency.

Game Laws—*Willow Grouse (Partridge) and other Grouse*—Close time for taking birds and eggs, Jan. 12 to Sept. 15; for sale, Jan. 22 to Sept. 15. *Snipe, Curlew, Plover, and other migratory birds (except Wild Geese)*—Close time for birds and eggs, Jan. 12 to Sept. 15. *Otters*—April 1 to October 1. *Beavers*—Preserved until October 1, 1903. *Foxes*—March 15 to October 15. *Rabbits and Hares*—March 1 to Sept. 15. *Moose and Elk*—Preserved until Jan. 1st, 1906. *Caribou*—Close times, 1st February to 15th July, 1st October to 20th October; persons not domiciled in the Colony require caribou license. Fees:—Four weeks' license to kill two stags and one doe, \$40 (officers of British warships stationed on coast free); six weeks' license to kill three stags and one doe, \$50; two months' license to kill five stags and two does, \$80, fee to officer issuing license \$1.00. License must be given up on its expiry, accompanied by affidavit of number of deer killed; antlers, etc., must be entered at customs for exportation, with an affidavit that they are not exported for sale. *Trout, Char, Whitefish, Land Locked Salmon, etc.*, in any lake, river or stream—Close time, 10th September to 15th January.

Garnishment—So often as any goods, debts or effects of any defendant in any action have been attached in the hands of any third person, such goods, debts or effects shall be paid into Court or delivered to the Sheriff, as the case may be, to abide the order of the Court, upon proof before the Court or Judge of the nature and amount of such goods, debts or effects. Third persons holding the moneys or effects of a debtor may be garnished under a writ of attachment or under a writ of *fieri facias*.

Imprisonment for Debt—No person shall be arrested and held to bail in civil actions on either original or final process, except in the cases mentioned under the heading "Arrest for Debt."

Insolvency—Procedure is by petition of the debtor himself or of a creditor, addressed to the Supreme Court or a Judge thereof, setting forth that the debtor is unable to pay his creditors one hundred cents to the dollar, and having attached to it, where the debtor is the petitioner, a schedule of assets and liabilities; and where the creditor is the petitioner, either a similar schedule or a statement of facts sufficient to satisfy the Court or Judge that an order for hearing should be made. The petition must also have attached to it an affidavit verifying its contents and those of the schedule, if any. Upon the hearing, the debtor may be declared insolvent, and his estate vested in a trustee or trustees for realization and distribution. The Court or a Judge may subsequently grant the debtor a certificate of insolvency and discharge. An arrangement or composition entered into by the debtor and two-thirds in number and value of his creditors resident or having a house of business in Newfoundland, and of two-thirds of his creditors elsewhere, or of three-fourths in number and value of the whole of such creditors, may be confirmed by the Court or Judge, and has the same effect, when so confirmed, as a certificate of final discharge. The working tools and implements of trade of any person, his fishing skiff or punt, the necessary cooking apparatus, the bedding and wearing apparel of himself and family, shall not pass to or vest in the trustee.

Interest—Interest is allowed on written agreements, and on accounts when notice is given that the interest will be charged. The usual rate is six per cent., and this is allowed except when under an agreement another rate is provided for. Under a writ of *fieri facias*, interest runs at five per cent.

Judgments—Where defendant does not defend, judgment may be entered in the Supreme Court four or eight days (according to the place of residence of defendant) after service of the writ in the action. The Indicture Act, Order xiv., provides for the entry of judgment in a case where a defendant appears and pleads where the Court is satisfied as to the cause of action, and that the defendant has no defence thereto on the merits.

Limitations of Actions—**TWENTY YEARS**—Judgments, rent upon lease under seal, bonds and other specialties, recovery of land.

SIX YEARS—Award where submission not under seal, money levied under *fi. fa.*, actions upon the case (except slander), actions for account, trespass, debt, detinue, trover, replevin for goods or cattle, trespass *quare clausum fregit*, admiralty suits for seamen's wages.

FOUR YEARS—Assault, menace, battery, wounding, imprisonment.

TWO YEARS—Penalties, damages or sums of money by the party grieved; slander. Disabilities and acknowledgments extend the time for bringing action.

Married Women—A married woman can sue and be sued as if she were a *femme sole*. The law of the Colony on this point is the same as the Imperial Act of 1882, as amended by that of 1893.

Mining Laws—The finder of a lode must mark off a "mining location," not exceeding 320 acres in area, by four posts of a prescribed size; he may obtain a twelve months' lease by paying a fee of \$10 and complying with certain conditions; at the end of this period he may obtain a 99-year lease at an increasing scale of rent; and finally, upon certain other conditions he may obtain a grant in fee.

Registration of Deeds—Instruments requiring registration must be proved by the affidavit of a subscribing witness, or of any party executing the same, or by the personal acknowledgment of a party from whom an interest passes. If executed within the Colony the affidavit or acknowledgment must be made before the Registrar, Deputy Registrar, a Judge or Commissioner of the Supreme Court, or a Justice who, in the case of an acknowledgment, shall sign a certificate of such acknowledgment on the deed. If executed out of the Colony the instrument may, if the party or witness proving it be within the Colony at the time of proof, be proved as above; otherwise it shall be proved in the same manner before a Commissioner of the Supreme Court, a Judge of a Court of Record, the Mayor or Chief Magistrate of any city or town, a Justice, a British Ambassador, Consul, Vice-consul, or Consular Agent; and in case it be proved before a Judge or a Mayor, the attestation or acknowledgment shall be certified under the seal of the Court, city or town. In the case of the other officials, their official character shall be certified by a Notary Public.

Sale of Goods—The law upon this subject is codified by the "Sale of Goods Act, 1899."

Trustees—"The Trustees Act, 1898," consolidates and amends the laws upon this subject. This Act is, except in some minor particulars, a copy of "The Trustee Act, 1893," of the Imperial Parliament.

Wills must be in writing, and must be either written and signed by the testator, or if not so written and signed, must be signed by him in the presence of at least two witnesses, who shall sign as witnesses in his presence; and if he is a marksman the will must have been first read over to or by him in the presence of the said witnesses. Incompetency of a witness to be admitted to prove a will does not *per se* invalidate the will. A legacy or devise to a witness, or to the husband or wife of a witness, is not void if the execution of the will can be sufficiently proved without the evidence of that witness. An executor may be a proper witness. Every will is revoked by marriage, except a will made in the exercise of a power of appointment, when the property appointed would not in default of appointment pass to the testator's executor or administrator or next of kin. A will made by a person under the age of 17 years is invalid.

INTESTACY.—The Supreme Court grants administration to the estate and effects of any one dying intestate leaving property within the Colony. The person primarily entitled to administration is the nearest of the next of kin, but the Court will grant administration to any fit and proper person upon the consent of the persons entitled to share the estate. There is no local enactment respecting the distribution of intestate estates; the law of the Colony upon the subject being the Statutes of the Imperial Parliament made in the time of James and Charles. The Court allows to the administrator as remuneration for his services a commission, not being more than five per cent. upon the value of the estate.

List of Foreign Legal Counsel.

PREFACE.

The following list of Counsel has been arranged alphabetically according to towns, and is intended for the use of our subscribers (especially in their collection department).

This list has been carefully prepared, and while we cannot guarantee the standing of every individual lawyer, we feel confident that it will give satisfaction to our subscribers, and, we are prepared to investigate any charge of misconduct made against any individual or firm appearing in this list, and should the charge be well founded their names will, of course, be struck from this list of Counsel.

Special attention has been paid to the United States, and a number of the leading men of the United States legal profession will be found among our list of American Counsel.

MANAGER.

List of Foreign Legal Counsel.

1901

Asia.

CHINA.

Hong Kong.

Johnson, Stokes & Mas-
ter, 12 Queens Rd.
Central.

Shanghai.

Johnson, Stokes & Mas-
ter, Balfour Bldg.

JAPAN.

Tokio.

R. Masujima.

Yokohama.

R. Masujima, 14 Bund

Europe.

BELGIUM.

Brussels.

Thomas Barclay, 161
Avenue Louise.

FRANCE.

Paris.

Thomas Barclay, 17 Rue
Pasquier.

ITALY.

Rome.

Thomas Barclay.
(See Paris, France.)

SPAIN.

Madrid.

Thomas Barclay.
(See Paris, France.)

Great Britain and Ireland.

ENGLAND.

Birmingham.

Ansell & Ashford, 27
Bennetts Hill.

Burton, F. M., 53 Union
Passage.

Bristol.

Danger & Cartwright, 1
St. Stephen st.

Hull.

A. M. Jackson & Co.,
Victoria Chambers.

Herbert Woodhouse, 18
Parliament st.

Leeds.

Craven & Clegg, 6 East
Parade.

Nelson, Eddisons & Lup-
ton, 34 Albion st.

Liverpool.

Bangs, Kendall & Taylor,
26 N. John st.

Herbert, Lewis & Dav-
ies, Central Blds, North
John st.

London.

Thomas Barclay, 13 Old
Square Lincoln's Inn.

John Bartlett, 26-27 Bush
Lane, Cannon st. E. C.

S. V. Blake, 17 Victoria
St., S. W.

Elhs, Munday & Clarke,
23 College Hill, E. C.

Harrison & Powell, 5
Raymond Buildings,
Gray's Inn, E. C.

Norton, Rose, Norton &
Co., 57½ Old Broad st.
E. C.

Wainwright, Pollock &
Co., 42 Bishopsgate St.;
Within, E. C.

Manchester.

Brooks, Marshall & Co.,
104 King st.

Dendy & Paterson, 5
Cross st.

Sheffield.

Anderson, Son & Dust, 23
Change Alley.

Wightman & Parker, 25
Change Alley.

Southampton.

Moberly & Wharton,
Page & Gulliford.

IRELAND.
Belfast.

Johns, Bates & Johns, 11
Lombard St.

Cork.

Gerald H. McOstrich, 29
Lower Ormond Quay.

Dublin.

Hayes & Sons, 21 & 25
Nassau St.

SCOTLAND.
Edinburgh.

Clark & Macdonald, 21
Hill St.

Hamilton, Kinnear &
Beatson, 35 Queen St.

Mill, Bonar & Hunter, 15
Hill St.

Glasgow.

Boyes & Ferguson, 104
West George St.

Gemmell & Boyd, 136
Wellington St.

Inverness.

Gilmour & Christie,
Mackenzie & Middleton.

British Colonies and Possessions.

AUSTRALIAN COMMONWEALTH.

Adelaide, South Australia.

Fisher & Culross, Caven-
dish Chambers, Gren-
fell st.

C. M. & J. B. Muirhead,
Pirie st.

Symon, Romseyell &
Cleland, Selborne Cham-
bers, Pine st.

Auckland, New Zealand.

Jackson & Russell, Short-
land st.

Ballarat, Victoria.

Mitchell, Nevett & Robin-
son, Lydiard St.

Brisbane, Queensland.

Chambers, Bruce & Mc-
Nab

W. H. Osborne, 150
Queen st.

W. H. Wilson & Hem-
ming, Selborne Cham-
bers

Dunedin, New Zealand.

George & J. A. Cook, cor.
Crawford and Water st
Smith, Chapman & Sin-
clair, Liverpool st.

Geelong, Victoria.

Harwood & Pincott, 83
Yarra st.

Hobart, Tasmania.

Butler, McIntyre & But-
ler.

Melbourne, Victoria.

Connelly, Crocker & Pal-
ing, 60-62 Market St.
Fink, Best & Hall, "The
Rialto," 497 Collins st.
Davies & Campbell, 267
Collins st.

Newcastle.

Thompson & Windeyer

**Perth, Western Aus-
tralia.**

Stone & Burt, 308 Hay
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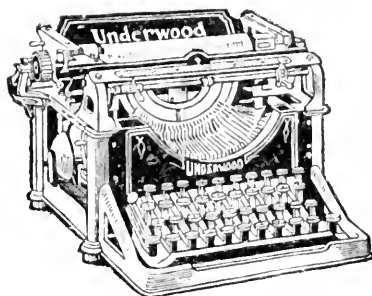
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